

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

1. CWP-9411-2016

Chander Bhan and another ... Petitioners

Vs.

Guru Jambheshwar University of Science and Technology Hissar and another
... Respondents

2. CWP-11004-2018

Deepak and another ... Petitioners

Vs.

Guru Jambheshwar University of Science and Technology Hissar and another
... Respondents

Date of Decision: 24.01.2019

CORAM : HON'BLE MS. JUSTICE RITU BAHRI

Present : Mr. K.S. Kheher, Advocate
for the petitioners.

Mr. B.R. Rana, Sr. Advocate with
Mr. Deepak Kumar Gollen, Advocate
for the respondent.

RITU BAHRI, J. (Oral)

Both the aforementioned writ petitions are being decided together being identical.

The petitioners have competed for the post of Library-Attendant-cum-Restorer pursuant to the Advertisement (Annexure P-1). They were placed in waiting list. However, after promotion of two senior-most Library-Attendant-cum-Restorer to the post of Library Assistant which were not approved by the State Government, petitioners were appointed on the posts of Library-Attendant-cum-Restorer. Thereafter, on 18.01.2016, notice for termination of appointment of the petitioners was issued on the ground that since two senior-most Library-Attendant-cum-Restorer who were promoted to the post of Library Assistant has to be reverted back to

their original post of Library-Attendant-cum-Restorer, therefore, there is no alternate but to terminate their service. Thereafter, on 4.4.2016, a resolution (Annexure P-9) was passed by the respondent-University wherein it has been resolved that petitioners be adjusted afresh on the same terms and conditions subject to the availability of posts in the University. The stand taken by the respondent-University is that after giving them notice of termination, two vacant posts were there. One post has been advertised and second post is available as one person has been sent on deputation.

Petitioners in the present case have been working with the respondent-University since 2014 and are continued to work till date. On a query being put by this Court, it has been informed by the learned counsel for the respondent that regular selection process has not been completed so far. Since one post has been advertised for regular selection as per the information received under RTI Act, therefore, both the petitions are being disposed of with a direction that the petitioners will continue to work on the post on contract basis till such time regular appointment is made and the person who has been sent on deputation is come back.

24.01.2019
rajeev

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No