

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

LPA-30-2019 (O&M)
Date of decision:- 23.05.2019

State of Haryana and another
...Appellants

Versus

Dharmender and others
...Respondents

CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present:- Ms. Shruti Jain Goyal, Deputy Advocate General, Haryana,
for the appellants.

Mr. Girish Agnihotri, Senior Advocate,
with Mr. Ishaan Bhardwaj, Advocate,
for respondents No. 1 to 35.

Mr. Manoj Makkar, Advocate,
for respondent No. 36.

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KRISHNA MURARI, C.J. (ORAL)

This intra court appeal under clause X of the Letters Patent is directed against the judgement and order dated 26.10.2018 passed by the learned Single Judge allowing the writ petition filed by the petitioners (respondents herein) with a direction to the appellants to give appointment to such petitioners who have been selected in the merit list in pursuant to the advertisement dated 24.04.2016.

2. While issuing notice of motion on 11.01.2019, it was left open to the discretion of the State Government to make appointment on contractual basis from amongst the respondents in accordance with the merit list prepared for making contractual appointment. Today, a statement has been made by learned State counsel appearing for the appellants, which is not being disputed by learned counsel appearing for the

respondents, that all the respondents have been appointed on contractual basis and, thus, they are left with no cause of action. It is further submitted that the direction given by the learned Single Judge to delete 1025 posts from 2388 number of requisitioned posts and appoint the respondents as Instructors on contractual basis may be modified to the extent that after giving appointment to the respondents on contractual basis, the rest of the vacancies may be added in the requisitioned posts.

3. In view of the above facts and circumstances, the direction issued by the learned Single Judge to delete 1025 posts from 2388 requisitioned posts loses its significance and the order of the learned Single Judge stands modified to the extent indicated above.

4. The appeal accordingly stands disposed of in the above terms.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

23.05.2019
Amodh

whether speaking/reasoned	Yes/No
whether reportable	Yes/No