

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

CWP No.7844 of 2020.

Decided on:- July 14, 2020.

Vikas Dhillon.

.....Petitioner.

Versus

State of Haryana and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. A.G., Haryana.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed this civil writ petition under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari so as to quash the advertisement issued by the respondents for the contractual post of Oto-Rhino-Laryngology (ENT) with an object to replace the petitioner with fresh appointment on contract basis during the midstream of extension of the petitioner on the post of Assistant Professor (ENT) already granted vide order dated 20.01.2020 (Annexure P-5).

Learned counsel for the petitioner has argued that the tenure period of the petitioner as Assistant Professor, ENT at Kalpana Chawla

Government Medical College, Karnal was extended for the period from 01.01.2020 to 31.12.2020 or till regular appointment is made, whichever is earlier, as a stopgap arrangement. Now, the respondents are going to fill up the same very post along with others on contractual basis.

On June 08, 2020, following order was passed by this Court:

“Inter alia contends that petitioner was granted the extension for one year by the Government of Haryana, vide letter dated 20.01.2020 (P-5), but the respondents are going to fill up the same very post along with others on contractual basis.

Notice of motion.

Notice regard stay as well.

Mr. D.S. Nalwa, Addl. A.G. Haryana accepts notice on behalf of the respondents and seeks time as to whether the post occupied by the petitioner is going to be filled up by way of impugned advertisement dated 29.05.2020 (Annexure P-14) or not?

Be listed on 12.06.2020.”

Learned State counsel submits that he has instructions to state that the respondents have decided not to advertise the post occupied by the petitioner till December, 2020. Therefore, the present petition no more survives.

Learned counsel for the petitioner states that he is satisfied with the statement of learned State counsel.

A communication has also been received through *WhatsApp* from the office of Director, Kalpana Chawla Government Medical College, Karnal, where the petitioner is working. As per the communication, the

advertisement dated 29.05.2020 has been withdrawn for one post of Assistant Professor (Oto-Rhino-Laryngology). The copy of communication is taken on record.

In view of the statement made by learned State counsel when the post held by the petitioner is not going to be filled up by way of impugned advertisement dated 29.05.2020 (Annexure P-14), no cause of action survives in the petition and the present petition is rendered infructuous.

Dismissed as infructuous.

July 14, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No