

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-9592-2020(O&M)
Date of Decision: 13.07.2020

Subhash Chander & others

--Petitioners

Versus

State of Haryana & another

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Raje Ram Kaushik, Advocate for the petitioners.

TEJINDER SINGH DHINDSA.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

As per pleadings on record, petitioners who are 3 in number are stated to belong to the Scheduled Castes category.

Instant writ petition has been filed seeking a mandamus for directing the respondent/Education Department, State of Haryana to grant to the petitioners benefit of reservation in the matter of appointment of Guest Faculty Teachers.

Counsel for the petitioners has been heard at length and the pleadings on record have been perused.

In the considered view of this Court, the prayer raised in the instant petition does not merit acceptance. Such view is being taken for the following two counts:

(i) During the course of hearing, counsel concedes that as of date, no recruitment process has been initiated for appointment of Guest Faculty Teachers. Sans a recruitment process having been initiated by the respondent/Education

Department, the question for grant of reservation, be it to any category, does not arise.

(ii) Even otherwise, there would be no vested right with the petitioners to claim reservation. Suffice it to observe that reservation, if any, would be against regular sanctioned post. The engagement of Guest Faculty Teachers can only be seen as an ad hoc/interim measure.

There is no merit in the instant petition and the same is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

13.07.2020

lucky

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No