

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-17675-2022

Date of Decision: 10.08.2022

SATISH KUMAR AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Ashwani Nagra, Advocate
for the petitioners.

Mr. Pankaj Middha, Addl. A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petitioners herein, *inter alia*, seek issuance of a writ in the nature of *mandamus* directing the respondents to withdraw advertisement No.NHM/AD-01/2022 dated 27.07.2022 qua the post of Senior Treatment Supervisor, to be filled up on contractual basis for the year 2022-2023.

2. Plead case is that petitioners joined the respondent department, admittedly, on contract basis, through service provider in the year-2005 and since then, they are working on the post of Senior Treatment Supervisor. Grievance of the petitioners is that the respondents have issued fresh advertisement inviting applications for the posts under NHM on contractual basis, which also includes the posts of Senior Treatment Supervisor, District Program Coordinator and Public Private Mix (PPM) Coordinator (RNTCP), to be appointed till 31.03.2023, but their case is not being considered on the ground that they did not qualify for the same. Hence, the present petition.

3. On advance service of copy of the petition, learned State counsel appears and opposes issuance of notice of motion.

4. Heard.

5. Concededly, the petitioners continue to work as Senior Treatment Supervisor and qua their grievance that vide an advertisement dated 27.07.2022 (Annexure P-2), promotional posts of District Program Coordinator (RNTCP) and Public Private Mix (PPM) Coordinator (RNTCP) were advertised and they were not considered, they are is at liberty to compete for the same and cannot seek appointment on the promotional post, that too, on a contract, as a matter of right. In any case, the petitioners are contractual employees, having limited rights confined within the four corners of the terms of their appointment. Ordinarily, this Court would not entertain the writ petition under extra-ordinary writ jurisdiction on that ground alone.

6. Be that as it may, the writ petition is disposed of with liberty aforesaid.

August 10, 2022
gurpreet

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No