

CWP-22055-2021

Date of Decision: 28.01.2022

RAFI MOHD.

..... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Mohammad Arshad, Advocate
for the petitioner.

Mr. Samarth Sagar, Addl. AG, Haryana.

LISA GILL, J.(Oral)

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioner, it is stated, was earlier engaged as a Guest Teacher w.e.f. 19.05.2007 to 13.05.2010. Thereafter, he was appointed as C & V Drawing (Art & Craft) Teacher on regular basis on 14.05.2010. It is submitted that petitioner has thereafter worked continuously on the said post till 2021, however, entire selection process has been cancelled by decision dated 20.02.2015 of this High Court in CWP-18482-2010, titled Suman Kumari Vs. State of Haryana and others pursuant to which petitioner has been relieved from service.

In the present writ petition, petitioner seeks a direction to the respondents to appoint the petitioner as a Guest Teacher in the discipline of Drawing at Government High School, Mahun, Ferozepur Jhirka, District Nuh (Mewat), keeping in view the fact that petitioner has experience of three years as a Guest Teacher and 11 years as regular Teacher. Learned counsel for the

petitioner further submits that a representation in this respect has also been submitted by petitioner but to no avail.

Having heard learned counsel for the petitioner and going through the file with his able assistance, I do not find any ground to issue a direction to the official respondents at this stage as prayed for. It is a matter of record that the entire selection process through which petitioner was selected and appointed on the post of C & V Drawing (Art & Craft) Teacher has been set aside and cancelled as per decision dated 20.02.2015 in CWP-18482-2010. Petitioner has been relieved from service pursuant thereto. Therefore, in this factual matrix even though the petitioner may have worked on the post in question for the number of years as mentioned, a vested right cannot accrue to the petitioner to claim appointment as a Guest Teacher and seek a writ of mandamus for directing the respondents to appoint him as such. Therefore, no ground for interference is made out.

Needless to say, the petitioner is at liberty to pursue his representation dated 15.09.2021 with the competent authority and it is for the authorities to consider the matter and decide the same while looking into the experience and eligibility of petitioner for appointment as a Guest Teacher in accordance with the applicable rules, regulations and provisions of law.

Writ petition is accordingly disposed of.

January 28, 2022

Sunil

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No