

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(101)

CWP No. 31190 of 2018
Date of Decision : 28.09.2022

Ashok and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amandeep Singh Talwar, Advocate for the petitioners.

Harsimran Singh Sethi J. (Oral)

Learned counsel for the petitioners submits that the grievance of the petitioners is that order dated 07.12.2017 (Annexure P-19) as well as order dated 16.08.2018 (Annexure P-20) violates the principle of last-cum-first go with respect to the contractual appointment. Learned counsel for the petitioners submits that though the petitioners are continuing in service but their apprehension is that keeping in view the impugned orders Annexure P-19 and Annexure P-20, prejudice will be caused to the petitioners in case anyone is to be relieved from service.

Learned counsel for the petitioner has conceded before this Court that the petitioners are continuing in service hence, the contention that they may be removed or relieved is only based upon apprehension and not on facts. Further, nothing has been placed on record that any of the petitioner has been relieved from service by retaining a person, who was

appointed after them. In the absence of any such fact pleaded or demonstrated, no benefit of the same can be awarded to the petitioner at this stage.

Even otherwise, the grievance in the present petition is that the ad-hoc teachers, who were appointed after them, are being given preference over and above them. None of the persons, who have been appointed on ad-hoc basis, have been impleaded as party. In case, the prayer of the petitioners as raised in the present petition is allowed, the ad-hoc teachers, who are working and will be directly effected, but none of them is a party in the present petition.

Keeping in view the above circumstances, no prayer of the petitioners as raised in the present petition needs to be adjudicated or accepted, at this stage.

Dismissed.

September 28, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No