

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

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CWP-21888-2023

Date of Decision: 29.09.2023

Ruby Chauhan

...Petitioner

Versus

National Institute of Technology Kurukshetra

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Tejpal Singh Dhull, Advocate for the petitioner

Mr. Nagar Singh, Advocate for

Mr. A.S. Virk, Advocate for the respondent

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of advertisement dated 21.09.2023 (Annexure P-9) whereby respondent has advertized 12 posts of Guest Faculty in the Department of Computer Engineering in respondent-institute.

2. The petitioner, pursuant to advertisement of 2017, was appointed on the post of Assistant Professor on contract basis. The contract of the petitioner was not renewed in 2022 and she was relieved on 23.01.2023 vide order dated 23.12.2022. The respondent has relieved whole contractual staff working on the post of Assistant Professor.

3. The claim of the petitioner is that the respondent on the one hand has relieved the petitioner and other staff members appointed on contract basis and on the other hand, vide impugned advertisement dated 21.09.2023 invited

applications for appointment of Guest Faculty on contract basis. It is settled proposition of law that one set of contractual employees cannot be replaced with another set of contractual employees.

4. Learned counsel for the petitioner relies upon order dated 18.01.2023 passed by this Court in *CWP-993-2023*.

5. Mr. Nagar Singh, learned counsel for the respondent does not dispute the fact that case of the petitioner is covered by order dated 18.01.2023 of this Court passed in *CWP-993 of 2023*. He further submits that case of the petitioner would be considered in the light of the aforesaid order, if the petitioner applies for the advertized post.

6. Learned counsel for the petitioner agrees for the said arrangement.

7. In the wake of statements of both sides, the present petition stands disposed of with liberty to the petitioner to apply for the post advertized. On doing so, the respondent is directed to consider case of the petitioner in terms of order dated 18.01.2023 passed by this Court in *CWP-993-2023*.

(JAGMOHAN BANSAL)
JUDGE

29.09.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>