

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

202

**CWP No.5978 of 1997
Date of Decision : 2.2.2024**

*Balwinder Kumar**..... Petitioner**versus**State of Haryana and others**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Ms. Sweta, Advocate, for

Mr. Gurdev Singh, Advocate, for the petitioner

Mr. Rohit Arya, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the condition limiting the petitioner's appointment to eighty-nine days, and a writ of *mandamus* directing the respondents to continue him in service till availability of regularly selected persons on the post he is working against.

2. As per averments in the petition, the petitioner was engaged on contract basis as Lecturer in Commercial Arts, vide appointment letter dated 31.10.1995, on consolidated sum of Rs.2500/- for a period of two months, and joined as such on 1.11.1995. The tenure of contractual appointment was later extended. It was also claimed that the petitioner was discharging duty as a regular Lecturer, and was assigned the same responsibilities also. The clause limiting his appointment to eighty-nine days was, therefore, arbitrary and unconstitutional.

3. Learned State counsel, however, submits that the petitioner's

contract of service expired on 15.6.1997, and was relieved from duties with effect from that date itself. At this stage, he cannot be taken back in service, besides there is no privity of contract between him and the Department.

4. The facts have not been disputed by learned counsel for the petitioner.

5. In view thereof, no cause survives to the petitioner, and the petition, accordingly, stands disposed of.

(TRIBHUVAN DAHIYA)
JUDGE

2.2.2024
Ashwani

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No