

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

236-U

LPA-2142-2024 (O&M)  
Date of decision: 05.09.2024

Ravi Kaushik .....Appellant

Versus

State Of Haryana and others ...Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL  
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Manoj Makkar, Advocate  
for the appellant.

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DEEPAK SIBAL, J.(ORAL)

1           The present intra-Court appeal is directed against judgment dated 19.07.2024 rendered by a learned Single Judge of this Court dismissing the appellant’s writ petition filed by him to challenge therein order dated 16.08.2021 through which the appellant’s request to continue in the service of the respondents had been rejected. Through his petition, the appellant had further sought issuance of directions to the respondents not to replace him with another person on contractual basis.

2.           First a few relevant facts.

3.           Through letter dated 27.12.2018, the appellant was appointed as a Project Fellow on contractual basis. In the said letter, it had clearly been stipulated that the appellant’s services shall stand terminated at the end of his term and that too, without issuance of any notice.

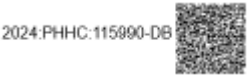


4. In terms of his appointment, at the end of his term, the appellant was relieved through letter dated 30.09.2020 which was challenged by the appellant before this Court through CWP-17189-2020. A learned Single Judge of this Court, after considering the appellant's case, was of the view that the appellant was a contractual employee and therefore, could not claim to continue in service beyond the terms of his appointment. Nonetheless, taking a lenient view, his petition was disposed of by allowing the appellant to continue in service till 31.08.2021. However, this Court clarified that after 31.08.2021 independent arrangements for recruitment of a Project Fellow shall be made by the respondents if the work load so required. Accordingly, the appellant continued in service till 31.08.2021 and on being relieved he again knocked the doors of this Court through another petition seeking therein the aforesaid reliefs which was dismissed by a learned Single Judge through the judgment impugned before us.

5. Learned counsel for the appellant has been heard.

6. The operative part of the impugned judgment reads as follows:-

*“Apparently, the petitioner was engaged as a Project Fellow on contractual basis for a limited period, vide appointment letter dated 27.12.2018. He earlier approached this Court challenging the order relieving him from service by filing CWP No.17189 of 202, which was disposed of directing the respondents to sanction extension of his service up to 31.08.2021, and make independent arrangement for recruiting Project Fellows thereafter keeping in view the contingency of work. It was also observed that the petitioner being a contractual employee, had no right to remain in service beyond the term of contract as per the settled principles of law. It was only due to indecision at the government level, that his services could not be extended as recommended by the Principal, and in these circumstances the aforementioned directions were issued. Accordingly, he had a right to continue in service up to the expiry of the term of his engagement, i.e., 31.08.2021. Although the petitioner continued his service for some time thereafter keeping in view the contingencies of work/training*



*requirements in the institute, he was relieved after the requirement was over, on 28.10.2021. It is not the petitioner’s case that he was replaced by another contractual appointee, nor is there any material on record establishing that the respondents were in need of Project Fellow in the ITI.”*

7.           A reading of the afore quoted portion of the impugned judgment clearly reveals that the learned Single Judge upheld the appellant’s relieving order on the ground that he was bound by the terms of his contract and that he had not been replaced by any other contractual employee as also because no evidence whatsoever had been placed on the record by the appellant to show that his services were still required by the respondents.
8.           No material has also been brought to out notice which would even question the factual position on which were based the afore findings.
9.           In the light of the above, we find no merit in the instant appeal.
10.          Dismissed.
11.          Pending miscellaneous application(s) shall also stand disposed of.

(DEEPAK SIBAL)  
JUDGE

(DEEPAK MANCHANDA)  
JUDGE

05.09.2024  
Sapna

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|----------------------------|--------|
| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |