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

**CWP-30325-2024 (O&M)****Date of Decision : 13-11-2024****PARDEEP SINGH AND ANOTHER****.....Petitioner(s)****VERSUS****STATE OF PUNJAB AND OTHERS****.....Respondent(s)****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. D.S Patwalia, Senior Advocate with  
Mr. Vivek Sharma, Advocate and  
Ms. Sehar Navjeet Singh, Advocate  
for the petitioners.

Mr. Charanpreet Singh, AAG Punjab.

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**HARSIMRAN SINGH SETHI, J. (Oral)**

In the present petition, the grievance of the petitioners who are working as Guest Faculty Lecturers is that in order to adjust the regular employees at the place where they are working, their services are virtually terminated hence, they should be protected and be allowed to continue and the transfer of the private respondents at the place where the petitioners are working should be quashed.

Further argument of learned Senior counsel appearing on behalf of the petitioners is that no order has been passed as to whether, the petitioners are still in service or are to be adjusted at any other place, which is also causing prejudice to them.

Keeping in view the advance copy given, the respondent-State has appeared and learned State counsel submits that once, the competent authority has decided to post a regular employee at a place where the petitioners are working, the petitioners who are only working as Guest Faculty Lecturers as a Stop Gap Arrangement, cannot raise any grievance to a transfer order of a regular employee to a particular post.

Learned counsel for the respondent-State further submits that a regular employee has a preference and a prior right of being posted at a particular station as compared to the petitioners who are working as Guest Faculty Lecturers.

Learned State counsel further submits that in case, no order has been passed with regard to the status of the petitioners as Guest Faculty Lecturers, appropriate order will be passed by the State qua them whether they are still in service or keeping in view the transfer of the private respondents at their place, their services have come to an end.

I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

The Guest Faculty Lecturers are only performing the duties in the absence of regular staff posted at a particular station. The private respondents are regular employees of the respondent-State and they have been transferred to a particular place where the petitioners have been working on a Stop Gap Arrangement. The petitioners cannot claim that they have indefeasible right to continue at a place and can only be re-placed by freshly recruited regular candidates and not by a regular employee who is already working. A regular employee already working and freshly selected regular employee are on the same footing. A regular employee already in job

can be posted by a competent authority at a place where a Guest Faculty Lecturer is working as Stop Gap Arrangement. A Guest Faculty Lecturer has no right to claim continuance on a post in preference to the regular employee already working with the respondent-State.

Hence, the challenge to the transfer of the private respondent by the petitioners who are working at a Stop Gap Arrangement as a Guest Faculty Lecturers, is not maintainable and the plea of the petitioners to set aside the impugned order cannot be accepted and the said prayer of the petitioners is accordingly rejected.

Qua the second prayer that petitioners do not know their status as of now, the respondent-State has already made a statement that appropriate order on the status of the petitioners will be passed within a period of 4 weeks on the receipt of copy of this order which should satisfy the petitioner.

Keeping in view of above, no ground is made out qua any interference by this Court keeping in view the facts and circumstances of the present case.

Hence, the present petition is dismissed.

Pending application, if any, also stands disposed of.

13-11-2024  
Sapna Goyal

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

NOTE: Whether speaking: YES/NO  
Whether reportable: YES/NO