



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

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CWP-34818-2024

Date of decision: 20.12.2024

SH. ARVIND SEHGAL

....PETITIONER

Vs.

UNION TERRITORY, CHANDIGARH AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Raman B. Garg, Advocate and
Mr. Mayank Garg, Advocate
for the petitioner.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent Nos. 2 and 3 to appoint him on the post of Rowing Coach and thereafter regularize his service.

2. The petitioner claims that he joined respondents in March' 2004. He was selected after following regular process. He was appointed on contract basis and his contract was extended from time to time. The last extension was given on 20.01.2023 which was upto 02.01.2024. Thereafter, the contract was not extended and he was relieved. The respondents, playing smart, did not make appointment of another Coach till August' 2024 and thereafter appointed respondent No. 4 on 27.09.2024.

3. Mr. Raman B. Garg, Advocate submits that respondents were bound to regularize the petitioner after completion of 10 years whereas his contract was not extended after January' 2024. The respondents have adopted unfair practice. It is a settled proposition of law that a contractual employee cannot be replaced by another contractual employee.

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4. On the asking of Court, Mr. Raman B. Garg, Advocate confirms that he has no remedy to approach Central Administrative Tribunal, however, with respect to remedy to approach Labour Court, submits that he may be granted liberty to approach Labour Court.
5. Dismissed as withdrawn with liberty to avail remedies as permissible by law including filing petition before Labour Authorities/Court.

20.12.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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