



CWP-17897-2017

:1:

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CWP-17897-2017 (O&M)  
Date of decision : 23.01.2026

SAROJ RANI

..... Petitioner

VERSUS

STATE OF PUNJAB & ORS

..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

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Present :- Mr. Munish Bhardwaj, Advocate  
for the petitioner.

Ms. Neha Sonawane, DAG, Punjab.

Mr. Prateek Gupta, Advocate  
for the respondent No.4.

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**Deepinder Singh Nalwa, J. (Oral)**

1. In the present writ petition, the petitioner has challenged the advertisement dated 05.08.2017 (Annexure P-3), vide which applications were invited by respondent No.4 for filling one post of Cutting and Stitching Instructor as Guest Faculty.

2. Brief facts of the case are that the petitioner was appointed on a contract basis on the post of Cutting and Stitching Instructor at Government Industrial Training Institute (W) Jaito, District Faridkot, vide appointment letter dated 30.09.2011 (Annexure P-1). The services of the petitioner were terminated on 01.10.2013 on the ground that one Poonam Preet Kaur was

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transferred on the post on which the petitioner was working. Thereafter, the petitioner was again appointed as Guest Faculty against the vacant post purely on provisional basis on 01.08.2016. The contract of the petitioner was extended from time to time (Annexure P-2). However, the services of the petitioner were again terminated vide order dated 04.07.2017 on account of joining of a regular employee, namely Jaswinder Kaur, by way of transfer to Jaito. It transpires that Jaswinder Kaur was transferred back on 04.07.2017 and, as the vacancy again arose, an advertisement dated 05.08.2017 (Annexure P-3) was issued by the respondents for filling up of the above said post.

3. Aggrieved against the above said advertisement dated 05.08.2017 (Annexure P-3), the petitioner has filed the present writ petition.

4. Learned counsel appearing on behalf of the petitioner submits that the respondents could not have issued the advertisement dated 05.08.2017 (Annexure P-3), as the same would amount to replacing one contractual employee with another, which is not permissible in law.

5. Learned counsel for the respondents submits that once the services of the petitioner were terminated vide order dated 04.07.2017, on account of joining of a regular employee, as such, the petitioner had no right to continue. Therefore, the advertisement dated 05.08.2017 (Annexure P-3) cannot be held to be bad in law.

6. I have heard learned counsel for the parties and perused the record.



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7. It is well-settled law that once a post is filled by a regular employee, an employee working on temporary basis/contract basis has no right to continue. There is no concept or reverse right whereby such an employee can claim re-appointment when a vacancy again arises. As per the law, every eligible person has a right to be considered for appointment against a vacancy which arises and the same has to be filled in conformity with Articles 14 and 16 of the Constitution of India. Since the services of the petitioner were terminated on account of joining of a regular employee, the petitioner had no right either to continue or to claim appointment against a vacancy which arose at a later stage after his termination.

8. Taking into consideration the above said facts, this Court finds no infirmity in the advertisement dated 05.08.2017 (Annexure P-3) issued by the respondents. Accordingly the present writ petition is dismissed.

9. Pending application(s), if any, shall also stand(s) disposed of accordingly.

**(DEEPINDER SINGH NALWA)**  
**JUDGE**

**23.01.2026**  
Rimpal

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable :      | Yes/No |