

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Civil Writ Petition No. 19541 of 2014(O&M)

Date of Decision: October 8 , 2015.

Karamjeet Kaur

..... PETITIONER (s)

Versus

Union of India and others

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Pradeep Sharma, Advocate
for the petitioner.

Mr. Puneet Gupta, Senior Panel Counsel
for the respondents.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Prayer in this writ petition is for setting aside letter dated 04.09.2014 (Annexure P3) whereby the post of Nursing Assistant is proposed to be filled up.

Petitioner was appointed as Nursing Assistant on 23.06.2008 on contractual basis initially for a period of one year. Thereafter, she continued to work on the said post, her contract of service being renewed periodically. It is submitted that petitioner has rendered dedicated service. There is no complaint

of any kind against her qua her work or conduct. Present petition was filed apprehending termination of her service pursuant to issuance of impugned letter dated 04.09.2014.

This Court vide order dated 18.09.2014 directed the respondents to maintain status quo regarding services of the petitioner.

Learned counsel for the petitioner submits that this writ petition be allowed in terms of judgment dated 30.06.2015 passed in CWP No.20113 of 2013 (Dr. Sukhpreet Singh v. Union of India and others), petitioner being similarly situated. There is no complaint regarding her work and conduct. Existence of work is not in dispute. Terms and conditions of her agreement are similar to that of the petitioner in Dr. Sukhpreet Singh and other connected cases wherein it has been held that the petitioners therein, who were also appointed on contractual basis, were entitled to continue in service strictly as per terms and conditions of the agreement of service duly entered into and agreed upon between the parties. Present petitioner is identically situated as the petitioner in the abovesaid writ petition.

Learned counsel for respondents is unable to deny the abovesaid factual position. He further submits that person appointed on the said post as of now is only a temporary stop-gap arrangement. Therefore, there is no necessity for impleading the said respondent.

It is thus clear that the petitioner is entitled to continue in service in terms of the decision in Dr. Sukhpreet Singh's case (supra) on the post in question. It is noted at this juncture that the petitioner has not pressed the application for action against the respondents for willfully circumventing

interim order passed by this Court in her favour (as well as other relief) in view of the decision in the main case.

Keeping in view the factual matrix as noticed above, present petition is disposed of in terms of decision dated 30.06.2015 in CWP No.20113 of 2013 (Dr. Sukhpreet Singh v. Union of India and others).

October 8 , 2015.
'om'

(**LISA GILL**)
JUDGE