

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CWP No.19203 of 2015

Date of decision: 11.9.2015

Santosh Kumari

... Petitioner

versus

Panjabi University, Patiala

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.R.K.Chopra, Sr.Advocate, with
Mr.Pawan Kumar, Advocate,
for the petitioner.

...

AMOL RATTAN SINGH, J. (Oral)

Learned Senior counsel for the petitioner points to the judgment of a coordinate Bench in CWP No.10425 of 2012 and CWP No.25207 of 2012, dated 30.9.2013, of which CWP No.25207 of 2012 had been filed by the present petitioner.

Whereas the petitioners' claim for continuation as an Assistant Professor (Hindi) was concerned, that was specifically rejected, holding the petitioner in CWP No.10425 of 2012 to be higher in merit, as per the stand taken by the respondent University itself. However, since no notice had been issued before termination of her services, it was directed, in effect, that any monetary loss to her, in the form of payment in lieu of notice, would be gone into by the University and the amount be paid, if found due. It was further, on the contention of learned Senior counsel appearing for the petitioner in that case, directed that in case there any posts of Guest Faculty Teachers lying vacant, the petitioner could be adjusted against one of them, after evaluating the position of availability of vacancies and feasibility of

retaining her by the University.

Learned Senior counsel submits that neither of the aforesaid directions has been carried out by the University.

Consequently, this petition is disposed of with a direction to the respondent University to look into both the aforesaid issues, i.e. payment to the petitioner with regard to termination of her services without giving any notice and the remuneration to be paid in lieu thereof, and as to whether she can be adjusted against any post of the Guest Faculty Teachers as may be lying lying vacant with the respondent University. The aforesaid decision be taken within two months from the date of receipt of a certified copy of this order.

In case the monetary benefit is found due to the petitioner, in lieu of her termination without any notice, it should be paid to her within a period of one month thereafter, along with interest at @ 7% per annum, running from one month after the date of the order in the aforesaid writ petition, earlier decided by the coordinate Bench.

11.9.2015
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(AMOL RATTAN SINGH)
JUDGE