

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

CWP No.4028 of 2015
Date of decision: 05.05.2015

Neetu Rani

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. AK Walia, Advocate, for the petitioner.

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?

ARUN PALLI J. (Oral)

Writ in the nature of certiorari is prayed for, so as to quash the order dated 02.03.2015 (Annexure P4), issued by respondent No.3, vide which respondent No.4 has been appointed as Incharge of Adarsh Government Senior Secondary School, Village Malla by replacing the petitioner, who was earlier assigned the said duty vide order dated 22.10.2013 (Annexure P3). It is averred that the petitioner is engaged as Senior Teacher and respondent No.4, who is employed as TGT teacher, is junior to the petitioner. And even as per School Attendance Register (Annexure P2), petitioner being senior to respondent No.4 is shown at serial No.2, whereas respondent No.4 is shown at serial No.3. As Smt.

Namrata Goyal, Principal of the school proceeded on long leave

on 22.10.2013, petitioner being the senior-most teacher was appointed as Principal till further orders. As a result, the petitioner has been working as such since then. However, now respondent No.3, vide order dated 02.03.2015 (Annexure P4), has designated respondent No.4 as Incharge of the school. In short, the grievance of the petitioner is that respondent No.4, being junior to the petitioner, could not replace her as Incharge of G.G.S. Adarsh Senior Secondary School, Malla.

Ex facie, Smt. Namrata Goyal, Principal, Adarsh Government Senior Secondary School, had proceeded on leave. Petitioner i.e. Smt. Neetu Rani, in the absence of a regular Principal was assigned the duty to run the school subject to further orders. Apparently, the arrangement was purely interim in nature and does not vest any legally enforceable or any substantive right in the petitioner vis-à-vis the post of Principal or to continue as such. And in any case, the arrangement set out in the order dated 22.10.2013 (Annexure P3), was subject to further orders. Learned counsel for the petitioner could not demonstrate as to how does the order (Annexure P3) vest the petitioner with any right to continue. Therefore, it was well within the domain and discretion of the Administrator, G.G.S. Adarsh Senior Secondary School, in the interest of administration, to appoint respondent No.4 as Incharge of the school.

That being so, no interference in exercise of extraordinary jurisdiction under Article 226 of the Constitution, is warranted. The petition being bereft of merit is accordingly dismissed in limine.

May 5, 2015
Rajan

(Arun Palli)
Judge