

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

LPA No. 186 of 2015. [O&M]
Date of Decision: 30th March, 2015.

Satbir Singh

Appellant through
Devender Punia, Advocate.

Versus

Kurukshetra University & Ors. Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

- 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?**

SURYA KANT, J. [ORAL]

The order dated 02.05.2014 whereby learned Single Judge has dismissed the appellant's writ petition is under challenge in this Letters Patent Appeal.

[2]. The appellant was engaged as Clerk on 89 days basis and he continued to serve till the year 2012 when his services were dispensed with allegedly on expiry of the term w.e.f. 30.05.2012. The appellant challenged such action of the respondent – University before this Court in an earlier writ petition and pursuant to the directions issued therein, the University has passed a speaking order dated 31.03.2014 alleging that he remained absent from duty in the year 2006, hence the removal of his engagement in the year 2012 was justified.

[3]. We have heard learned counsel for the appellant and gone through the record.

[4]. Since the appellant was not engaged through Employment Exchange or through open competition, it is not expedient for a writ Court to interfere with the impugned order, as has been rightly observed by the learned Single Judge.

[5]. It is contended by learned counsel that the services of appellant were terminated despite the fact that he was senior and his junior have been retained. According to him, the action of the University authorities amounts to unfair labour practice.

[6]. While we do not find any ground to interfere with the impugned order passed by the learned Single Judge, he shall, however, notwithstanding the dismissal of the writ petition or appeal, be at liberty to approach the Authorities under the Industrial Disputes Act and/or any other statutory Authority under the Labour Laws for redressal of his grievance on the ground of alleged unfair labour practice.

[7]. Since the appeal has been dismissed on merits, no occasion arises to go into the question of delay in filing of the appeal.

[8]. Disposed of. Dasti.

(SURYA KANT)
JUDGE

March 30, 2015.
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(P.B.BAJANTHRI)
JUDGE