

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

CWP No.10338 of 2013 (O&M)

Date of Decision: 11.07.2016

Sukhdev Raj

..... Petitioner

Vs.

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Pirthi Singh Chauhan, Advocate for the petitioner.

Mr. Vaibhav Sharma, Deputy Advocate General, Punjab
for respondent Nos.1 and 2.

Mr. Amrit Paul, Advocate for respondent No.3-University.

JASWANT SINGH, J. (Oral)

The petitioner was engaged as a part time Peon in the year 2006 by the erstwhile Government Degree College, Narot Jaimal Singh (Maan Singh Wala), Gurdaspur at the time of its establishment in a Government School Building. The said College was closed by the Government with effect from the Academic Session 2011-2012.

From the reply dated 20.04.2012 (**Annexure R-3/4**) annexed with the reply of the Guru Nanak Dev University, it transpires that the Principal Secretary, Department of Higher Education, Govt. of Punjab has acknowledged the fact that the aforesaid College stood closed.

The claim of the petitioner is for adjustment in any other Government College as the other staff has been adjusted. His claim has been declined by a speaking order dated 14.02.2013 (**Annexure P-4**) passed by the Director, Education Department (Colleges), Punjab.

Learned Counsel for the petitioner submits that although the case of the petitioner for adjustment has been declined on the ground that he was working on part time basis, however, the Guest Teachers working in the College have been adjusted and, therefore, the impugned orders are liable to be set aside.

On the other hand, learned State Counsel submits that the case of the Teachers cannot be equated with the Class-IV post working on part time basis. Secondly, he states that the petitioner stood relieved from his engagement before the College was closed down.

After hearing learned Counsel for the parties and perusing the paper-book, no case for interference is made out.

The petitioner was part time worker employed at D.C. rates, therefore, he has no right to seek adjustment in another Government College. The case of Guest Teachers is rightly to be treated differently as the interest of the students is involved and thus no parity can be invoked.

In view of the above, the present petition stands dismissed.

July 11, 2016
Gagan

(JASWANT SINGH)
JUDGE