

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

CWP No.15974 of 2016 (O&M)

Date of decision:14.09.2016

Anju Gulati

... Petitioner

Vs.

State of Haryana & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Amit Choudhary, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

Pleadings on record indicate that the petitioner was engaged as Civil Registration Assistant on 04.04.2008 purely on contractual basis under a RCH Project at the Civil Surgeon's Office, Faridabad.

Petitioner stands disengaged w.e.f. 31.03.2016.

Prayer in the instant petition is for issuance of a writ of mandamus for directing the respondent/authorities to reinstate the petitioner to the post in question and on contractual basis.

Counsel would argue that even though the petitioner has been disengaged on the completion of his last extension granted upto 31.03.2016 but the real basis of not continuing with the contractual engagement is that the petitioner stands implicated in FIR No.502 dated 18.12.2013 under Sections 420/467/468/471/120-B IPC, registered at Police Station SGM Nagar, Faridabad. Counsel submits that the FIR was registered on the complaint of one Hari Singh raising allegations against the petitioner as also senior of the petitioner, namely, Dr. Rajiv Batish for having issued a birth certificate to one Rattan Lal and in regard to such, interpolations were made in the concerned register.

During the course of arguments, it has been conceded by the

counsel that investigation having been completed, the final investigation report/challan under Section 173 Cr.P.C. has been furnished and in which the petitioner has been nominated as an accused and she is now facing trial.

Faced with such a situation, counsel prays for withdrawal of the instant petition with liberty to approach the Court afresh seeking re-engagement in the eventuality of the petitioner earning an acquittal.

Prayer is allowed. Writ petition is dismissed as withdrawn with liberty as prayed for.

It is, however, clarified that such liberty is being granted without even going into the merits of the case and without opining as regards the right of a contractual employee to claim further re-engagement after the expiry of a certain tenure of contractual engagement.

Disposed of.

14.09.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether reasoned/speaking? | Yes |
| ii) | Whether reportable? | No |