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

CWP No.5200 of 2015

Date of decision: 08.01.2016

Varsha Malik

....Petitioner

versus

UT of Chandigarh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Aman Chaudhary, Advocate
for the petitioner.

Mr. Shekhar Verma, Advocate
for respondents No.1 and 2.

Mr. C.B. Kaushik, Advocate
for respondent No.3.

Mr. Vikas Kuthiala, Advocate
for respondent No.4.

DEEPAK SIBAL, J. (Oral)

The present petition has been filed seeking quashing of order dated 16.02.2015 (Annexure P-5) passed by the respondent-Chandigarh Administration, whereby it has been directed that the charge of officiating Head Mistress of respondent No.3-School be taken from the petitioner and handed over to respondent No.4 till such time the post is filled up on regular basis.

The brief facts which need to be noticed are that in the year 2007, on the retirement of Smt. Urmil Mittal, the post of Head Mistress in the respondent-School fell vacant and on that post respondent No.4 was asked to officiate. Thereafter, through resolution of the respondent-School passed in June 2010, the petitioner was asked to officiate as Head Mistress of the

respondent-School in place of respondent No.4.

It is the admitted case between the parties that since June 2010, it is the petitioner who is officiating as Head Mistress of the respondent-School.

In the year 2015, the order impugned in the present petition was passed by respondent-Chandigarh Administration asking the respondent-School to replace the petitioner with respondent No.4 to officiate as Head Mistress of the respondent-School.

Learned counsel for the parties have been heard.

It is unfortunate that since the year 2007 i.e. for about 8 years the post of Head Mistress in the respondent-School has not been filled up on regular basis. The stand of the respondent-Administration is that the same was not done on account of non-compliance of several directions given by the respondent-Administration to the respondent-School.

Be that as it may, today, at the time of hearing of the matter, learned counsel for the Chandigarh Administration and the learned counsel for the respondent-School state that on the basis of permission already granted by the respondent-Administration (Annexure P-6) the post of Head Mistress in the respondent-School will be filled up on regular basis within six weeks from today and that the petitioner is also at liberty to apply for consideration of her candidature seeking appointment on regular basis.

In view of the aforesaid statement on behalf of respondents, learned counsel for the petitioner does not press the present petition.

Till the time regular appointment of Principal is made, status quo with regard to the post of Head Mistress as it exists today, shall be maintained.

(Deepak Sibal)
Judge

08.01.2016
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