

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

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CWP No.9277 of 2014 (O&M)

Date of Decision: September 18, 2017

Paramjit Singh

....Petitioner

vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Vivek Sharma, Advocate
for the petitioner.

Mr. Avinit Avasthi, AAG, Punjab.

TEJINDER SINGH DHINDSA, J. (Oral)

Pleadings on record would indicate that the petitioner was engaged as a Guest Faculty Lecturer (Punjabi) in the month of July 2012 at Saroop Rani Government College for Women, Amritsar.

Specific averments in the petition are to the effect that the petitioner discharged his duties up to 04.03.2014.

Instant petition was filed in the year 2014 raising a grievance that other Guest Faculty Lecturers who are identically situated had been permitted to continue while the petitioner has been relieved. Accordingly, prayer for issuance of a writ of mandamus for directing respondents to reinstate him on the post of Guest Faculty Lecturer (Punjabi) was raised.

In the written statement, the factum of the petitioner having discharged duties from July 2012 to 04.03.2014, has not met

with any denial. To the contrary, a stand has been taken that a joining report of the petitioner on the post in question i.e. Guest Faculty Lecturer (Punjabi) w.e.f. 12.08.2014, has been accepted.

Petitioner continues to serve in such capacity till date.

In the light of such development, the instant writ petition is rendered infructuous and is disposed of accordingly.

Liberty however is granted to the petitioner to raise his claim as regards admissible service benefits by treating his engagement as Guest Faculty Lecturer (Punjabi) on a continuous basis and for the period from 04.03.2014 to 12.08.2014 to be not taken as a break in service. In the eventuality of any such claim being raised, the respondent-authority/competent authority would be obligated to take a final decision thereupon expeditiously and within a period of four months from the date of submission of such claim. It is clarified that this Court has not examined such claim on merits.

Civil Miscellaneous Applications, pending if any, shall also stand disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

18.09.2017
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Whether speaking/reasoned : ***Yes/No***
Whether reportable ***:*** ***Yes/No***