

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

(1) CWP No. 4560 of 2017 (O&M)
Date of decision: 1.5.2017

Satnam Singh and another

...Petitioners

Versus

The State of Punjab and others

...Respondents

(2) CWP No. 3849 of 2017 (O&M)

Dr. Guriqbal Singh

...Petitioner

Versus

The State of Punjab and others

...Respondents

(3) CM No. 6464 of 2017 and
CWP No. 4243 of 2017 (O&M)

Jagmohan Singh and others

...Petitioners

Versus

The State of Punjab and others

...Respondents

(4) CWP No. 4075 of 2017 (O&M)

Darshan Singh

...Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. PS Sekhon, Advocate,
for the petitioners in CWP No. 4560 and 4243 of 2017.

Mr. DS Patwalia, Senior Advocate with
Mr. BS Patwalia, Advocate,
for the petitioner in CWP No. 3849 of 2017.
Mr. Rahul Rampal, Advocate,
for the petitioner in CWP No. 4075 of 2017.

Ms. Lavanya Paul, AAG, Punjab.

Mr. B.M. Singh, Advocate,
for the respondent-University in
CWP Nos. 3849 and 4243 of 2017.

Mr. Vipul Jindal, Advocate,
for respondents-University in
CWP Nos. 4560 and 4075 of 2017.

JAISHREE THAKUR, J. (Oral)

1. This order shall dispose of the above four writ petitions as they arise out of the same set of facts.

2. The instant writ petitions seek to challenge the impugned orders by which the respondent-University relieved the petitioners (non teaching staff), who were working after their retirement, from service, on account of the memo dated 13.2.2017 received from the Government of Punjab. The orders came to be passed at the behest of the Vice Chancellor. The impugned order relieving the re-employed staff was also made applicable both to teaching and non-teaching staff of the University (which has been challenged separately by the teaching staff). It is contended that the petitioners herein had been re-employed after the decision had been taken by the Syndicate on 28.12.2013, however, the impugned orders have been passed at the behest of the Vice Chancellor, who was not competent to do so and as such the impugned orders are illegal.

3. The respondent-University has put in appearance and placed on record the decision taken on 31.3.2017 by the Syndicate itself to relieve the petitioners from service.

4. In view of the fact that now the Syndicate itself has taken the

decision to the relieve the re-employed staff, this Court is not inclined to interfere in the writ petitions and the same are disposed of with liberty to the petitioners to challenge the said decision, if so advised.

5. Mr. Patwalia, learned Senior Counsel, raises an apprehension that the orders passed in these cases might not reflect upon the writ petition which is pending in this Court pertaining to the teaching staff of the University, whose services too are sought to be relieved by the Vice Chancellor. This Court is of the opinion that each case has to be decided on its own merit and the decision taken in these cases is based on the decision taken by the Syndicate, which would have not bearing on the cases pending.

6. At this stage, Mr. Sekhon, learned counsel appearing for the petitioners, submits that he has moved an application (being CM No. 6464 of 2017) stating that retiral benefits of the petitioners are still to be released. On this, learned counsel for the respondent-University assures that in case any payment has to be paid to the petitioners on account of their retiral benefits and others dues, the same shall be released within three weeks from today.

7. All the writ petitions stand disposed of accordingly.

1.5.2017

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No