

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

LPA No.559 of 2016 (O&M)

Date of Decision : 13th September, 2017

Barinder Kaur

..... Appellant

Versus

Guru Nanak Dev University, Amritsar and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

Present : Mr. Amrit Paul, Advocate
for the appellant.

Mr. Pawan Kumar, Senior Advocate
with Ms. Mandeep Kaur Madahar, Advocate
for the respondent(s).

Mr. Inderjeet Singh, Advocate
for the respondent(s).

MAHESH GROVER, J. (Oral)

The instant appeal is directed against the order dated 09.07.2015, passed by the learned Single Judge.

The appellant therein was appointed as Principal on temporary basis for 11 months in the year 2011. This contract continued for sometime with the last extension given to the appellant expiring on 28.03.2014. One day prior to that i.e. 27.03.2014, the University terminated her services and gave an additional charge to Principal of a different College. The appellant challenged the action of the University by filing a writ petition which was accepted and the impugned order dated 27.03.2014, terminating her services was set aside. The learned Single Judge, however, directed the University to make appointment on regular basis on the post in question

expeditiously but not later than three months from the date of receipt of certified copy of the order. It is pertinent to mention here that an arrangement in favour of the appellant in the year 2011 stipulated her continuation in service till the regular selection is not made.

The learned Single Judge did not grant any monetary consequence on account of the termination of the appellant. The University in terms of the Directions given by the learned Single Judge, reinstated the appellant and also carried out the process for regular selection. In the selection process on regular basis, the appellant also participated but remained unsuccessful. In the year 2015, the appellant resigned from the service of the University in view of the assignment that she had taken up with Punjabi University, Patiala.

Since the first selection process initiated by the University did not yield any successful candidate the fresh process was initiated in which the appellant applied and remained unsuccessful once again. The University, however, managed to get a candidate for regular appointment. The appellant during the interregnum moved an application i.e. C.M.No.2431-CWP of 2016 before the learned Single Judge seeking consequential benefits. The application was infact dismissed as not pressed. The limited prayer made before us is that once the writ Court had ordered the reinstatement, the applicant would be entitled to the consequential benefits.

After hearing learned counsel for the appellant(s), we are of the opinion that no such relief can be granted to her. Even if the best case of the appellant is considered, the arrangement in her favour on temporary

basis was expired on 28.03.2014. Her services were dispensed with a day prior to that i.e. on 27.03.2014. There was no right left with the appellant and after that she participated in the selection process twice and remained unsuccessful, she cannot thus ask for any consequential benefits when her appointment was on temporary basis.

In view of aforesaid discussion, the instant appeal stands dismissed.

(MAHESH GROVER)
JUDGE

(RAJ SHEKHAR ATTRI)
JUDGE

13th September, 2017
mamta-M

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No