

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA No.352 of 2017 (O&M)

Date of Decision: 31.05.2017

Renuka Sharma

... Appellant

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE HARI PAL VERMA

Present: Ms. Neha Jain, Advocate for the appellant

SURYA KANT, J. (Oral)

(1) The appellant was appointed as Computer Teacher on contract basis under PICTES project vide letter dated 15.03.2005. The appellant due to her family circumstances resigned from the job on 09.07.2009. After five years or so, the appellant gave a second thought and wanted to rejoin the duties for which she represented the authorities. As no decision was taken, she approached this Court and the writ petition was disposed of with a direction to decide her claim. The authorities consequently, passed a reasoned order dated 10.04.2014 (P7) rejecting the appellant's claim. She unsuccessfully challenged the said order before learned Single Judge, hence this intra court appeal.

(2) We have heard learned counsel for the appellant and gone through the Government instructions relied upon on her behalf. As the facts would speak for themselves, the appellant was appointed on contract basis only. She voluntarily resigned from the service. It was after a gap of five years that she changed her mind and the thought of resuming the duties. By that time, it was too late to withdraw the resignation. The contractual appointment did not clothe her with any right to hold the post. Similarly, once the resignation was accepted and became effective, it could not be withdrawn. Likewise, there is no

policy whereunder a contractually-appointed teacher can rejoin the duties at his/her sweet-will after resigning from the same.

(3) Dismissed.

(Surya Kant)
Judge

31.05.2017
vishal shonkar

(Hari Pal Verma)
Judge

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| 1. Whether speaking/reasoned? | Yes |
| 2. Whether reportable? | No |