

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

COCN No. 2494 of 2016 (O&M)

Date of Decision: 24.01.2018

Bhupinder Singh

..... Petitioner

Versus

Jaswant Singh, Principal-cum-President
(PTA/HEIS), Govt. Brijindra College, Faridkot

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

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

Mrs. Monica Chhibber Sharma, Sr. Deputy Advocate General, Punjab
for the respondent.

JASWANT SINGH, J. (ORAL)

Petitioner-Bhupinder Singh was engaged as a Lecturer in Hindi as Guest Faculty (PTA) at Government Brijindra College, Faridkot w.e.f. 12.10.2011. He is stated to have worked for various periods till 05.03.2016.

By way of the present contempt petition, it is alleged that the order dated 01.02.2012 (**Annexure P-1**) passed by this Court in CWP No. 1804 of 2012, whereby it was directed that the Guest Faculty Lecturers in the respondent-College would not be replaced by other Guest Faculty Lecturers, has been violated, inasmuch as somebody else has been engaged as Lecturer in Hindi as Guest Faculty w.e.f. August, 2016.

Upon notice, a reply has been filed, wherein it is stated that the petitioner had absented himself from duty with effect from the afternoon

of 05.03.2016 without any intimation or getting any kind of leave

sanctioned. He (petitioner) thus had abandoned his job leading to the Management to issue an advertisement dated 11.06.2016 for engaging afresh Lecturer in Hindi in order to protect the interest of the students. It is further submitted that the petitioner had never presented himself in the school premises till 20.08.2016, by which time Guest Faculty Lecturer in Hindi had already joined.

Learned counsel for the parties have been heard.

The plea of abandonment raised on behalf of the respondent finds sustenance from the fact that an FIR No.62 dated 08.03.2016 under Sections 304-B and 498-A of Indian Penal Code stood registered at the Police Station Kotwali, Faridkot, *qua* the untimely death of the wife of the petitioner on 05.03.2016, although counsel for the petitioner has argued that the FIR was cancelled, but that fact has no bearing as the petitioner was absconding to evade his arrest in the said FIR.

To point a query, it is conceded that the petitioner was neither arrested nor granted any anticipatory bail for atleast the period till he surfaced in August, 2016.

In view of the aforesaid facts, no case for invoking the contempt jurisdiction is made out, therefore, the present petition is **dismissed**.

January 24, 2018

'dk kamra/rajneesh'

**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>