

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.12039 of 2016
Date of Decision: 19.09.2018

Bindu and othersPetitioners

Vs.

State of Haryana and othersRespondents

CWP No.13635 of 2016

Ishita Malhan and anotherPetitioners

Vs.

State of Haryana and othersRespondents

CWP No.12202 of 2016

Manju and anotherPetitioners

Vs.

State of Haryana and othersRespondents

CWP No.14046 of 2016

Raman Kumar and othersPetitioners

Vs.

State of Haryana and othersRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Ishaan Bhardwaj, Advocate, for the petitioners
in CWP No.12039 of 2016.

Mr.Jitender Dhanda, Advocate, for the petitioners
in CWP Nos.12202 of 2016 and 13635 of 2012.

Mr.Dalbir Singh, Advocate, for the petitioner in
CWP No.14046 of 2016.

Mr.Hitesh Pandit, Addl.A.G.Haryana.

Mr.Ashu Kumar Goyal, Advocate, for respondent No.3 in
in CWP No.14046 of 2016.

RITU BAHRI, J. (ORAL)

Petitioner is seeking for issuance of a writ in the nature of certiorari to quash the action of the respondent-colleges not to pay the minimum scale prescribed by the UGC vide notification dated 05.02.2010 (Annexure P-2) and further direction to grant full salary and allowance to the petitioners of the vacation periods from the date the petitioners were appointed and further allowed the petitioners to continue the petitioners till regular appointment.

On 03.06.2016 when the notice of motion was issued, a direction was given to the respondents that petitioners shall not be replaced by another set of contractual employees and they shall be paid full salary for the summer vacation, subject to final decision of the petition. Learned counsel for the petitioners has referred to the judgment in the case of Mrs.Menka and others Vs. State of Haryana and others passed in CWP No.9300 of 2015, wherein, the contractual Assistant Professor/Extension Lecturers have been allowed to continue till the regular selection is made and have been held entitled to salary of summer vacation and remuneration @ 1000/- per lecture subject to a maximum of Rs.25,000/- per month and respondents have been given liberty to verify the qualifications of the petitioners as per UGC guidelines and can take appropriate steps to dispense with the services of the petitioners who are not qualified. It has been further made clear that contractual employees shall work to the satisfaction of the respondents and in case posts are abolished or their work and conduct is not found satisfactory, their services can be dispensed with by the respondents.

In view of the above, the present writ petition is disposed of by

giving directions to the respondents to pay the minimum scale prescribed by

the UGC guidelines vide notification dated 05.02.2010 (Annexure P-2) and grant them full salary and allowances of the vacation periods and allow the petitioner to continue in service till the regular selection is made in terms of the judgment passed in the case of Mrs.Menka and others Vs. State of Haryana and others passed in CWP No.9300 of 2015 .

Disposed of accordingly.

(RITU BAHRI)
JUDGE

19.09.2018
anil

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No