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

**CWP-21756-2018**  
**Date of Decision : August 31<sup>st</sup> , 2018**

Vinod Kumar

.... Petitioner.

Versus

Union of India and others.

.... Respondents.

**CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN**

Present Mr. R.S.Manhas, Advocate  
for the petitioner.

**SHEKHER DHAWAN, J.**

Present writ petition under Articles 226/227 of the Constitution of India is challenge to the order dated 04.08.2018 (Annexure P/7), whereby the services of the petitioner were terminated by the respondents.

2. Facts relevant for the purpose of decision of this writ petition; that the petitioner was appointed as Vice Principal in Army Public School, Mamun Military Station, Pathankot on 4.9.2017 vide appointment letter dated 31.08.2017 (Annexure P/5). As per the said appointment letter, the petitioner was to remain on probation for a period of one year and during the probation period, his services could be terminated without assigning any reason by the appointing authority. His services were terminated vide order dated 4.8.2018 (Annexure P/7).

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3. Learned counsel for the petitioner, while assailing the termination order, Annexure P/7, contended that the services of the petitioner have been terminated as “no more required by the school” with effect from 03.09.2018. It is contended that the petitioner has unblemished service record and the order, Annexure P/7 has been passed in violation of principles of natural justice and without affording any opportunity of hearing. The same is liable to be set-aside by this Court. On this point, reliance was placed on the judgment of this Court in **Satish Kumar Vs. State of Haryana and another, 1996(3) SCT 154.**

4. Having considered the submissions made by learned counsel for the petitioner and appraisal of the record, this Court is of the considered view that there is no dispute on the facts that the petitioner was appointed vide appointment order, Annexure P/5 and he was put on probation for a period of one year. As per the conditions of his appointment, the services of the petitioner could be terminated without assigning any reason during the period of probation. Perusal of the impugned order, Annexure P/7, shows that the services of the petitioner have been terminated during probation period as “no more required”. This Court has also considered the view taken by the Co-ordinate Bench of this Court in **Satish Kumar's case (supra)**. However, similar matter was before Hon`ble Apex Court in **Shailaja Shivajirao Patil Vs. President, Hon. Khasdar, 2002(10) SCC 394,** wherein view was taken that services of an employee during probation period could be dispensed with if the same is in accordance with terms of his appointment. Identical view as taken by Hon`ble Division

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Bench of this Court in **Hindu Higher Secondary School, Kaithal Vs. The State of Haryana, 1992(1) SCT 121.**

5. In view of the above factual position and the view taken by Hon`ble Apex Court in **Shailaja Shivajirao Patil's case (supra)** and Division Bench of this Court in **Hindu Higher Secondary School's case (supra)**, the present writ petition is without any merit and the same stands dismissed.

**(SHEKHER DHAWAN)**  
**JUDGE**

**August 31<sup>st</sup>, 2018.**  
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| Whether speaking/reasoned? : | Yes |
| Whether reportable? :        | Yes |