

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

CWP No.2435 of 2018

Date of Decision:-27.02.2018

Moti Malik.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Girish Agnihotri, Senior Advocate assisted by
Mr. Arvind Seth, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner, pursuant to his selection by a Committee was employed on the provisionally created post of Officer on Special Duty (Litigation) on contract basis for a period of 02 years on consolidated salary of Rs.35,000/- in the office of Director Rural Development and Panchayat, Punjab.

Before the period of two years could lapse on 12.05.2018, the petitioner was served with impugned notice dated 17.11.2017 (P-11), whereby a 30 days notice for termination of services in terms of the conditions of his engagement was issued. Hence the present petition.

Counsel for the petitioner had raised the plea that since in the notice there are some unfavourable observations regarding the work and conduct of the petitioner without affording any opportunity to explain them, therefore, the termination was bad.

On the other hand, Mr. Manoj Bajaj, Additional Advocate General, Punjab submits that keeping in view the terms and conditions of the contract, there is no separate termination order required to be passed and in the light of the department willing to release the experience certificate,

any observation in the notice, cannot have any adverse effect on the future prospects of the petitioner. He further submits that the department is also ready and willing to release the entire arrears of salary.

In view of the aforesaid stand of the State, case was adjourned to enable the department to provide the experience certificate as also release the salary.

At the time of hearing today, Counsel for the respondents-State assisted by Mr. Joharinder Singh, Law Officer, office of Director Rural Development and Panchayat, Punjab has handed over a copy of the Experience Certificate dated 26.02.2018 qua the petitioner to his counsel. He further states that the arrears of salary for a sum of Rs.4,49,806/- have also been ordered to be released. He thus submits that in view of the said developments, nothing more really survives for adjudication in the present case.

In response, in the light of the stand of the respondents that the termination of the contract is not stigmatic in any manner, learned counsel for the petitioner concedes that the present petition has thus become infructuous.

Dismissed as infructuous.

(JASWANT SINGH)
JUDGE

February 27, 2018
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>