

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.25461 of 2018

Date of Decision: 04.10.2018

Sushil Narwal

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Sajjan Singh, Advocate, for the petitioner.

RITU BAHRI, J. (ORAL)

Petitioner is seeking quashing of the impugned action of the respondents of not designating the petitioner as CDC Principal and also for issuance of further directions to the respondents for designating the petitioner as Current Duty Charge, Principal w.e.f. the date of her juniors have been assigned CDC, Principal and for further directions to carry out consequent modification of order Annexure P-5 dated 20.08.2018.

As per order dated 19.04.2017, petitioner was sent the Current Duty Charge to the post of Principal at Government College, Meham (Rohtak). In this order, it has been clarified that in case she forgo the Current Duty Charge, her request for Current Duty Charge in future will only be considered after a period of one year from the date of issuing of orders and that too on her written request provided that any

vacancy may also exist for assigning the Current Duty Charge.

Petitioner did not take the charge of this post due to some reasons and in the meantime, petitioner made a request vide letter dated 04.05.2017 (Annexure P-2) and letter dated 16.12.2017 (Annexure P-3) to give her posting to a nearby station to Rohtak itself. However, despite considering the requests (Annexures P-2 and P-3) she was retired vide order dated 20.08.2018 (Annexure P-5).

After hearing counsel for the petitioner, present writ petition deserves to be dismissed on the short ground that initially when order (Annexure P-1) giving current duty charge to the post of Principal was issued in favour of the petitioner on 19.04.2017, it was clarified in condition No.10 that in case she forgo the Current Duty Charge, her request for Current Duty Charge in future will only be considered after a period of one year from the date of issuing of orders and that too on her written request provided that any vacancy may also exist for assigning the Current Duty Charge and thereafter, requests Annexure P-2, P-3 and P-4 have been made to assign her the duty of CDC Principal in above college could not be considered. However, her prayer made on 18.06.2018 (Annexure P-4) was after expiry of one year. Since, the petitioner due to retire on 30.06.2018, there was only a gap of 12 days and adjustment was not made. Learned counsel for the petitioner submits that Ms.Poonam Panwar, Associate Professor, Govt. College, Panchkular has since retired on 31.05.2018, petitioner can be adjusted for two months to work as Current Duty Charge to the post of Principal.

In the present case, petitioner made a request on 18.06.2018 (Annexure P-4), petitioner was retired on 30.06.2018. After her retirement she cannot be given CDC, charge of Principal.

In view of the above, no ground is made out to entertain the present writ petition and the same is dismissed as such.

(RITU BAHRI)
JUDGE

04.10.2018
anil

Whether speaking/reasoned Yes/No

Whether reportable Yes/No