

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

**CWP No.26613 of 2018
Date of Decision: 16.10.2018**

Mahendri

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.J.S.Rozera, Advocate, for the petitioner.

RITU BAHRI, J. (ORAL)

Learned counsel for the petitioner has referred to the letter dated 27.03.2018 (Annexure P-11) whereby, Director Administration, National Health Mission, Panchkula (Haryana), has given directions to all the Civil Surgeons, Haryana to adjust the staff with similar basic qualifications whose age is less than 62 years against the vacant post in any scheme/programme funded under NHM included Disease Control Programme, RNTCP etc. Learned counsel further submits that some of retrenched employees have already been adjusted. Petitioner is further seeking directions pursuant to the decision taken by this Court vide order dated 10.03.2016 (Annexure P-3) in the case of Monika and others Vs. State of Haryana and others in CWP No.4474 of 2016 wherein, the petitioners have been taken back in service on contract basis. In the present case, petitioner was retrenched vide order dated 30.03.2016 (Annexure P-4). The petitioner made a representation and thereafter, she has been issued appointment letter dated 27.05.2017 (Annexure P-6) but till date, she has not been allowed to join. The grievance of the petitioner is that as per seniority list Annexure P-10, she is senior and as per direction given by the Mission Director (NHM) on 27.03.2018 (Annexure P-11), she should have been adjusted by the respondents.

Notice of motion.

Mr.Kiran Pal Singh, AAG, Haryana, has appeared and accepts

notice on behalf of respondent.

Without commenting upon the merits of the case, the present writ petition is disposed of by giving directions to the respondents No.2 and 3 to consider the case of the petitioner for service on contract basis keeping in view that the posts are lying vacant and the direction given by the Mission Director (NHM) on 27.03.2018 (Annexure P-11), Policy Decision (Annexure P-5 and P-8) and seniority list (Annexure P-10). This exercise be done within a period of one month from the date of receipt of a certified copy of this order.

(RITU BAHRI)
JUDGE

16.10.2018
anil

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