

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-7757-2017

Date of Decision: May 11, 2018

Rekha Rani

.....Petitioner

Versus

Chandigarh Administrator and another

.....Respondents

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

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|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.M.K.Sood, Advocate for the petitioner.

Mr.Ashish Rawal, Advocate for the respondents.

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SURYA KANT, J.

The petitioner was brought on deputation from Punjab State as Lecturer in Biology in Government Senior Secondary Schools of U.T., Chandigarh. She was ordered to be repatriated to her parent State. That order was unsuccessfully challenged before the Central Administrative Tribunal. Thereafter, the petitioner approached this Court through the present writ petition in which the following order was passed on April 19, 2017:-

“Though we are satisfied that the petitioner has no legally vested right to continue on deputation, however, having regard to her specific plea that she was sought to be replaced by one Smt.Seema Khera who has declined to join the UT Administration on deputation, let notice of motion be issued for 03.08.2017.

Owing to the fact that the students are likely to suffer in the absence of immediate replacement of the petitioner, it is directed that the petitioner be allowed to continue on deputation till she is replaced by another deputationist from the State of Punjab.”

[2] Learned counsel for UT Administration has placed on record a photostat copy of the order dated 09/10.05.2018 whereby one Mrs.Jagjit Kaur, Lecturer in Biology, has been brought on deputation from the State of Punjab and consequently, the petitioner has been repatriated to her parent State w.e.f. 10.05.2018.

[3] Learned counsel for the petitioner submits that there are more than seven vacant posts of Lecturer in Biology available in the schools of UT Administration.

[4] If that is so, we dispose of this writ petition with liberty to the petitioner to apply to the Chandigarh Administration to take her back on deputation and if any such application is moved by her, let the same be considered sympathetically. It is clarified that the order passed by Central Administrative Tribunal will not cause any impediment if the Administration otherwise decides to take the petitioner back on deputation.

(SURYA KANT)
JUDGE

May 11, 2018
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(SHEKHER DHAWAN)
JUDGE

1.	Whether speaking/reasoned ?	Yes/No
2.	Whether reportable ?	Yes/No