

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

**COCN No. 566 of 2017(O&M)
Date of decision :21.05.2019**

Gurjeet and another

..... Petitioners

versus

Sh.A.Sree Niwas and another

..... Respondents

CORAM : HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr.Dalbir Singh, Advocate
for the petitioners.

Mr.Ashish Yadav, Addl. AG, Haryana.

NIRMALJIT KAUR, J. (ORAL)

CM-5343-II-2017

Application allowed as prayed for.

Main case

This contempt petition has been filed for non-compliance of the orders dated 30.11.2016 and 05.10.2016 vide which a direction was issued to the respondents not to relieve the petitioners till regular selection and if relieved they may be taken back in service.

No one was present on the last date of hearing. Moreover, learned counsel for the respondents has placed on record copy of order dated 25.10.2018 vide which order dated 30.11.2016 was modified as under:-

“CM No.15511-2018

.....Keeping in view the above facts, the application stands disposed of and order dated 30.11.2018 passed in C.M. No. 12760-2016 is modified to the extent that petitioner No. 4-

Suman shall continue to work till regular eligible candidate joins but she shall not be replaced by way of transfer of regular candidate. Since there is no workload available in Government College Gohana, therefore, petitioner No. 1 cannot be retained.

However, if workload is available in nearby colleges, the respondents shall consider to adjust petitioner No. 1. Further the petitioners cannot claim salary for the period they didn't work i.e from 30.11.2016 to 18.09.2018 on the principle of no work no pay.

Learned counsel for the petitioners is also at liberty to make appropriate representation for adjustment of petitioner No. 1 in some other colleges, as per policy."

It is further stated that in pursuance to the said order of modification the petitioner No.2 is continuing and financial emoluments in terms of the said order have also been paid but petitioner No.1 cannot be retained in view of the above.

In view of the same, the contempt petition is dismissed.

Rule issued against the respondents stands discharged.

(NIRMALJIT KAUR)
JUDGE

21.05.2019
sunita

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No