

## IN THE HIGH COURT OF PUNJAB &amp; HARYANA AT CHANDIGARH

CWP No. 8652 of 2019  
Date of decision :27.05.2019

Parveen Kumar

...Petitioner(s)

versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Narender Pal Bhardwaj, Advocate for the petitioner.

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RITU BAHRI , J. (Oral)

Learned counsel for the petitioner on instructions from the petitioner has informed that petitioner has received arrears of salary of April 2014 and May, 2014. The petitioner has made a representation for his adjustment as per the recommendation dated 14.03.2014 (Annexure P-2) but the same has been rejected vide order dated 28.12.2018 (Annexure P-1). A perusal of this order shows that petitioner had been appointed on contractual basis as subject expert (ATMA) in ATMA scheme and his services were terminated on 30.06.2015, in disciplinary proceedings and after considering his representation as per order passed by Hon'ble the Supreme Court passed in **SLP No. 14035 of 2018**, decided on 03.07.2018 (Annexure P-6), he cannot be re-appointed.

The petitioner was terminated on 30.06.2015. As per the information received by the petitioner under RTI on 02.01.2019 (Annexure P-21) one Vikas was appointed between 01.05.2018 to 31.08.2018 and even he resigned on 11.10.2018. Even as per this information, only one Vikas was appointed after a gap of almost 4 years when petitioner was terminated i.e. 30.06.2015 and hence petitioner has no right to be given appointment only on the basis of recommendation letter dated 14.03.2014 (Annexure P-2). However, petitioner can participate whenever the said post is advertised

on contractual basis.

Dismissed.

27.05.2019  
Divyanshi

(RITU BAHRI)  
JUDGE

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |