

CWP-18727-2012

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

CWP-18727-2012

Date of Decision: April 04, 2019

Sukhvinder Kaur

... Petitioner

vs.

State of Haryana and Others

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Jawahar Lal Goyal, Advocate for
Mr. Anurag Goyal, Advocate
for the petitioner.

Mr. Sunil Kumar Vashisth, Deputy Advocate General,
Haryana.

Mr. Vijay Pal, Advocate,
for respondent No.2.

None for respondent No.3.

Mr. Chander Shekhar Singhal, Advocate,
for respondent No.4.

ARUN MONGA, J

The petitioner was originally appointed to the post of Lecturer in Sanskrit vide appointment letter dated 15.07.2002 (Annexure P3), under self financing scheme, by respondent No.2-Maharana Partap National College, Mullana (Ambala). However, the services of the petitioner were dispensed with vide impugned order 05.05.2012 (Annexure P9). The reason stated for dispensing with her services was that to continue teaching Sanskrit, a minimum of 20 students are required to be enrolled in M.A.Sanskrit. It was mentioned that as and when the college fulfilled this requirement, the petitioner's services would be resumed.

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2. Learned counsel for the petitioner contended that the impugned termination letter dated 05.05.2012 (Annexure P9) flies in the face of advertisement dated 21.08.2012 (Annexure P13), whereby, post of Lecturer (Sanskrit) has been advertised by the College.

3. Per contra, learned counsel for the respondent-college submitted that even though the college, at the relevant time, had advertised the abovesaid post but the same was never filled. He further submitted that the present writ petition has been rendered infructuous due to efflux of time, as the college had to discontinue the course of M.A. (Sanskrit) for lack of adequate number of students.

4. In the premise, the very ground taken by the petitioner, to seek quashing of termination, does not survive as there is no requirement of a Lecturer (Sanskrit), due to inadequate number of students. In the circumstances, the present writ petition is disposed of with a direction to respondent-college to make sure that the entire arrears of salary are disbursed to the petitioner with interest @ 8% per annum w.e.f. the due dates till actual payment.

5. Learned counsel for the petitioner submits that the details of arrears have already been provided in para 8 of the writ petition. Respondents may look into the same at the time of making the necessary calculation towards the arrears of pay, as directed above.

6.. Disposed of accordingly.

April 04, 2019
smriti

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No