

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-16928-2019

Date of Decision : July 25, 2019

Jarnail Singh Multani

...Petitioner

vs.

Union of India and Ors

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Dhruv Gupta, Advocate
for the petitioner.

Mr. Anil Chawla, Advocate
for the respondent-UI.

ARUN MONGA, J. (ORAL)

Inter alia contends that vide impugned order dated 10.06.2019 (Annexure P-3), the services of the petitioner have been summarily terminated in violation of Clause 3 of the Service Contract which envisages that either 30 days prior notice was to be given or remuneration in view thereof was to be remitted.

2. Notice of motion.

3. On advance service of the copy of the petition, Mr. Anil Chawla, Advocate accepts notice on behalf of the respondent-UI.

4. Learned counsel for the respondent-UI submits that the contentions of the learned counsel for the petitioner are not correct. As per his instructions, the petitioner was given 30 days salary.

5. Employment of the petitioner herein is governed by the terms and conditions of the contract. Therefore, I find no ground to interfere in the extraordinary writ jurisdiction of this Court, as long as the terms and conditions contained therein are complied with by the respondents.

6. Confronted with the situation, learned counsel for the petitioner submits that cheque given qua the salary got dishonoured and, therefore, the petitioner has not been paid in terms of contract. He further submits that even, otherwise, the nature of termination order is stigmatic and petitioner has not been granted any opportunity to defend himself before passing of the same. He further submits that neither any copy of the complaint was supplied to him, as referred in the impugned order, nor the petitioner was, otherwise, associated before passing of the same.

7. Be that as it may, without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to pay the petitioner in terms of Clause of Service Contract, within a period of 30 days from today, subject to petitioner returning the dishonoured cheque to the respondents

8. In the parting, I would like to observe that it would be appreciated if copy of the complaint, as referred in the impugned order, be supplied to the petitioner, in case, he wishes to take any remedy qua the same, as may be available in law.

(ARUN MONGA)
JUDGE

July 25, 2019
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No