

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

CWP-24092-2019

Date of decision: 03.09.2019

Geeta Devi

..... Petitioner

Vs

State of Haryana & ors.

..... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rajender Kumar, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ in the nature of mandamus for direction to the respondents to retain the petitioner on the post of Extension Lecturer of English.

As per the factual narration given by the learned counsel for the petitioner, the petitioner had worked with respondent No.3 – Government College Nalwa, Hisar as an Extension Lecturer in English on contract basis from 2015 to 2017. After the expiry of the contract, the petitioner was relieved from service on 06.09.2017.

Director General Higher Education, Haryana vide memo dated 15.01.2018 (Annexure P-5) issued guidelines to all the Principals of the Government Colleges regarding allowing of displaced Extension Lecturers to join back in case of availability of workload. In the office memo, it was clarified that in case there was availability of workload preference was to be given to displaced eligible extension lecturers. Hence, the prayer of the petitioner is that in terms of the said office letter, respondent No.3

Government College Nalwa is under an obligation to take the petitioner back in service.

The claim of the petitioner for issuance of direction to the respondents to allow her to join back in pursuance to the aforesaid letter is totally misplaced. A perusal of the afore-mentioned letter clearly reveals that it would be only in the eventuality of availability of workload and the college wishing to hire a teacher, the preference would be given to a displaced eligible extension lecturer.

In the instant case, nothing has been brought to the notice of this Court about the availability of workload so as to appoint the petitioner as an Extension Lecturer of English. Further, it is not the case of the petitioner that despite the availability of workload in the College, somebody else has been appointed ignoring her claim. In the absence of any material on record to show that there is availability of the workload and there is also the need of lecturer in the subject of English, no benefit can be extended to the petitioner in pursuance to the letter dated 15.01.2018 (Annexure P-5).

Accordingly, the present petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

03.09.2019
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Whether speaking/non-speaking?
Whether reportable?

Yes/No
Yes/No