

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

***RA-422-2017 in
CWP-16088-2013***

Navneet Kaur Sandhu & Ors. Vs. State of Punjab & others

Present: Mr. Vivek Sharma, Advocate for
the applicant/petitioners.

Ms. Rashmi Attri, A.A.G., Punjab.

Mr. V.K. Shukla, Advocate for respondent no.3.

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The instant application has been filed on behalf of applicant/petitioner no.2 Kiran Prabhakar seeking recalling of the order dated 26.7.2017 as also 14.7.2017 passed by this Court while dealing with CWP-16088-2013.

Suffice it to observe that the petition was filed on behalf of four petitioners who were working as Guest Faculty Lecturers with respondent no.3 college and raising a grievance that a notice had been issued by the college for engaging Faculty Members again on a contractual/guest faculty basis and thereby seeking to replace the petitioners by another set of contractual employees.

On 14.7.2017 learned counsel representing respondent no.3 had made a statement that petitioner no.3 is presently working on contractual basis and petitioners no.2 and 4 inspite of having been engaged have left on their own accord. Accordingly, a view was taken that the petition survives only qua petitioner no.1.

Instant application has been filed on the assertion that the statement made qua the applicant Kiran Prabhakar was factually incorrect and that she had worked continuously from the year 2011 till the issuance of

advertisement dated 7.7.2013 issued by the respondent college.

Upon notice having been issued in the application, a reply has been filed. It has gone uncontroverted that the stand taken on behalf of respondent no.3 qua petitioner no.2 and which had been recorded in the order dated 14.7.2017 was not factually correct.

That being so, the grievance of petitioner no.2 in fact survived and it was only on account of an incorrect statement having been made on behalf of respondent no.3 college that she had been non-suited.

In view of the above, application is allowed.

The orders dated 14.7.2017 as also 26.7.2017 qua the applicant/petitioner no.2 Kiran Prabhakar are recalled.

The main writ petition i.e. CWP-16088-2013 be set down for hearing on merits qua petitioner no.2 and as per roster.

Application is disposed of.

07.02.2019
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(TEJINDER SINGH DHINDSA)
JUDGE