

Sr. No.233

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

CWP No.28425 of 2018 (O&M)

Date of Decision: 19.11.2019

Parmala Devi

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Vijay Kumar Chaudhary, Advocate,
for the petitioner.

Mr. T.P.S.Chawla, DAG, Punjab.

ARUN MONGA, J.(ORAL)

CM No.17367-CWP of 2019

Application is allowed, as prayed for.

Replication to the amended reply is taken on record.

Main case

1. *Inter alia*, issuance of a writ in the nature of certiorari has been sought seeking to quash order dated 18.10.2018 (Annexure P-1) whereby the extension granted to the petitioner from 01.05.2018 to 30.04.2019 was cancelled.

2. Without commenting on the legality of the order dated 18.10.2018 (Annexure P-1) suffice at this stage to observe that during pendency of the writ petition by sheer efflux of time, the claim of the petitioner to continue during period of her extension in service for first year is rendered infructuous as the period of

extension expired on 30.04.2019.

3. However, since the matter was sub judice, the petitioner did not apply for extension in service for second year even though in the inquiry proceedings initiated against the petitioner qua delinquency, which led to cancellation of the first extension, she has been exonerated vide report dated 15.05.2019 (Annexure P-8).

4. Since the petitioner was out of job, the matter rested there and no further orders have been passed by the competent authority on the inquiry report either to agree or disagree with the findings therein.

5. In the premise, writ petition is disposed of with directions to the competent authority to consider the inquiry report whereby petitioner has been exonerated and after applying its mind, pass appropriate orders with regard to the entitlement of the petitioner to seek extension in service for second year since the petitioner is out of job.

6. Let the needful be done within a period of 30 days from the date of receipt of a certified copy of this order.

7. Disposed of in above terms.

(ARUN MONGA)
JUDGE

19.11.2019

vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No