IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

COPC(T) No.42 of 2020

Date of Decision: 8th June, 2020

Sangeet Bharti .....Petitioner

Versus

R.D.Dhiman and others Respondents

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting? [1]

For the Petitioner : Mr. Nitish Kaith, Advocate, through video conferencing.

For the Respondents: Mr. Sudhir Bhatnagar, Additional Advocate General,through video conferencing.

Sandeep Sharma, Judge *(oral):*

By way of present Contempt Petition, prayer has been made on behalf of the petitioner for initiation of contempt proceedings against the respondents for having willfully, intentionally and deliberately disobeyed the order dated 15.11.2016, passed by the Erstwhile H.P. Administrative Tribunal in OA No. 5936 of 2016, titled as ***Sangeet Bharti versus State of Himachal Pradesh and others.***

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[1] *Whether the reporters of the local papers may be allowed to see the judgment?*

2. Careful perusal of aforesaid order dated 15.11.2020 reveals that learned Tribunal below while issuing notice and calling reply from the respondents, had directed that the services of the applicant may not be terminated. Pleadings adduced on record by the respective parties clearly reveal that the petitioner was appointed as Assistant Professor Geography against the vacant post by the School Management Committee in Sidharth Govt. College Nadaun, District Hamirpur, H.P., on PTA basis, but his services were liable to be terminated on the appointment of Assistant Professor Geography on regular basis.

3. Reply having been filed by the respondents clearly suggests that there are two sanctioned posts of Assistant Professor/Associate Professor/Lecturer Geography and at present both the posts, as referred above, stand filled by two regular lecturers of Geography and as such, no fault, if any, can be found in the action of the respondents, whereby they have dispensed with the services of the petitioner after appointment of two lecturers on regular

basis. Otherwise also, as per own case set up by the petitioner he was given appointment against vacant post by the School Management Committee w.e.f.2.2.2015 @ 150/- per lecture and his such appointment was to continue till the joining of regular lecturer.

4. Consequently, in view of the above, this Court finds no merit in the present petition and accordingly, same is disposed of. Notices issued to the respondents are hereby discharged accordingly.

(Sandeep Sharma),
Judge

8th June, 2020
(shankar)