

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

CWP No.10099 of 2020

Date of Decision : 17.07.2020

Shikha Khanna

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jagdish Manchanda, Advocate
for the petitioner.

Harsimran Singh Sethi, J. (Oral)

The petition has been taken for hearing through video conference due to Covid-19 pandemic.

Learned counsel for the petitioner argues that keeping in view the instructions dated 29.11.2019 (Annexure P/6), which have been issued by the respondent-State of Haryana (Technical Education Department), the petitioner is entitled to be reinstated as Guest Faculty/Guest Instructor even, in an another Polytechnic, where the posts are lying vacant, hence, the petitioner, whose services were dispensed with by the respondents on 20.09.2018, is liable to be adjusted/reinstated in other institutions, in the faculty, in which the petitioner was teaching at the time when her services were dispensed with if the posts are lying vacant there.

Learned counsel for the petitioner further submits that vide letter dated 12.12.2019 (Annexure P/7), respondent No.3 has submitted comments to respondent No.2 in respect of the claim of the petitioner but, respondent No.2 has not passed any order on the claim of the petitioner so

far.

Learned counsel for the petitioner further submits that the petitioner has also clarified that the comments submitted by respondent No.3-Institute are not correct and the petitioner is entitled for adjustment/reinstatement in other institutions, in the faculty, in which she was teaching at the time when her services were dispensed with in case posts are lying vacant there. The said letter submitted by the petitioner is dated 07.02.2020 (Annexure P/8).

Learned counsel for the petitioner states that the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.2 to decide the claim of the petitioner as raised by her keeping in view the instructions (Annexure P/6) coupled with explanation of the petitioner as claimed through representation dated 07.02.2020 (Annexure P/8).

Notice of motion.

Mr. Hitesh Pandit, Addl. A.G, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of respondent-State.

Learned State counsel raises no objection for deciding the claim of the petitioner as detailed above alongwith representation dated 07.02.2020 (Annexure P/8) submitted by the petitioner, in a time bound manner by passing a speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.2 is directed to decide representation dated 07.02.2020 (Annexure P/8)

by passing a speaking order within a period of three months from the date of

receipt of a certified copy of this order.

Present writ petition stands disposed of.

July 17, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No