

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

LPA-1349-2017

Date of Decision:04.02.2020

Neelam Rani @ Neelam Kumari and others

... Appellants

Vs.

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE JASWANT SINGH

HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Rakesh Nagpal, Advocate
for the appellants.

Ms. Shruti Jain Goyal, D.A.G. Haryana.

Mr. Manjeet Singh, Advocate
for respondents No.2 and 3.

JASWANT SINGH, J. (Oral)

1. The appellants (22 in number) have filed the present intra-court appeal under Clause X of the Letter's Patent against order dated 25.4.2017 passed by the the learned Single Judge whereby their writ petition challenging their termination of contract services on closure of the Scheme, have been dismissed.

2. The appellants filed CWP-18437-2014 challenging their common termination order dated 27.05.2014 (Annexure P-1) as also seeking a mandamus for award of minimum of the pay scale being granted to the similarly situated Bal Sevikas engaged by different employers i.e. other societies.

3. Learned counsel for the parties heard at length.

4. It is conceded fact that the respondent-employer i.e. District Council for Child Welfare, Sirsa-respondent No.3 is a registered society operating *inter alia* various Creche/Child Care Centres in Sirsa under a Scheme. The funds are collected by way of donations and grants including

grant-in-aid by the Government. It is also conceded fact that the appellants were engaged as Bal-Sevikas on part time basis on consolidated salary/honorarium ranging from Rs.700/- to Rs.1200/- with effect from different dates, as per the details furnished in the writ petition (Available at page 51 of the paper-book). It is further conceded that as per the terms and conditions of engagement, the services of the appellants could be terminated at any stage without even issuance of any notice. The termination of the appellants vide order dated 27.05.2014 (Annexure P-1) was occasioned on account of the closure of the scheme in view of acute scarcity of funds and grants with effect from 1.6.2014.

5. In our view, learned Single Judge has rightly dismissed the claim as termination of services of appellants specifically in terms of aforesaid one, could not be held to be in violation of statutory provision or the terms and condition of engagement. That apart the reason for dispensing of the services is also *bona fide*.

6. It is conceded at the time of argument that under a new scheme floated by the respondent-society, some of the appellants have been re-engaged.

7. In view of the above, we find no merit in the present appeal and the same is hereby dismissed.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

04.02.2020

rajeev

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No