

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 9168 of 2020

Date of Decision: 28.01.2021

Simran Kaur

... Petitioner(s)

Versus

Union of India and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Lajwant Singh Virk, Advocate
for the petitioner(s).

Ms. Sonia Sharma, Central Government
Counsel for Union of India-respondent No.1.

Mr. Raman B. Garg and
Ms. Gitanjali Chhabra, Advocates
for respondent No. 2 and 3.

Anil Kshetarpal, J.

The petitioner seeks issuance of a writ in the nature of mandamus seeking directions to respondent No.3 to replace her with another Teacher on contract basis.

The petitioner is stated to have been employed by the Army Public School. The Army Public School, run by the Army Welfare Education Society in which the Central or the State Governments or any local body has no role to play. The respondent-school is an unaided school. It has been pointed out that the Government does not have any pervasive control over the Society or the school. Its finances are also being managed by the Society and the school is dependent on the fee collected from the students. It has further been pointed out that the petitioner was working as Primary Teacher on a fixed term basis, which came to an end on 31.03.2020.

Keeping in view the aforesaid facts, the writ petition is not maintainable and hence, the same is dismissed. However, the petitioner shall be at liberty to avail the alternative remedy.

(Anil Kshetarpal)
Judge

January 28, 2021
“DK”

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