

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

CWP-28774-2017

Date of decision: 11.02.2021

Anupam

.....Petitioner.

vs.

Union of India and others

.....Respondents.

**CORAM: - HON'BLE MR JUSTICE SANJAY KUMAR
HON'BLE MRS JUSTICE ARCHANA PURI**

Present: - Mr. Abhilaksh Grover, Advocate, for the petitioner.

Mr. Amit Jhanji, Advocate, for the respondents.

.....

Sanjay Kumar, J.

The prayer of the petitioner in this case was to quash the order dated 01.10.2015 passed by the Post Graduate Institute of Medical Education and Research, Chandigarh (PGIMER), whereby his services as a Caneman were terminated on the ground of ineligibility. The petitioner was unsuccessful in his challenge to the said order before the Central Administrative Tribunal, Chandigarh Bench, Chandigarh, in as much as OA No. 060/00095/2016 filed by him was dismissed on 24.08.2016. The said order is also under challenge presently.

While so, Mr. Abhilaksh Grover, learned counsel for the petitioner, would point out that one Varinder Hans, who was also dismissed from service as a Caneman by PGIMER on identical grounds was granted relief by this Court in CWP-30737-2018, titled 'Varinder Hans vs. Union of India and others', which was allowed on 31.07.2019. He would state that the review petition filed against the said order was dismissed and the PGIMER was unsuccessful in its challenge to these orders before the Supreme Court. He would further state that Varinder Hans was thereafter reinstated in service by the PGIMER.

Mr. Amit Jhanji, learned counsel for the PGIMER, fairly concedes that the case of the petitioner is identically placed with that of Varinder Hans.

In that view of the matter, the termination of the petitioner's service on the very same ground of ineligibility, as was applied to Varinder Hans, cannot be sustained.

The writ petition is accordingly allowed setting aside the order dated 24.08.2016 passed by the Central Administrative Tribunal, Chandigarh, in OA No. 060/00095/2016 as well as the order of termination from service dated 01.10.2015 passed by the PGIMER against the petitioner.

The PGIMER shall reinstate the petitioner and grant him relief on par with Varinder Hans in all respects. This exercise shall be completed expeditiously and in any event, not later than two weeks from the date of receipt of a copy of this order.

No order as to costs.

(SANJAY KUMAR)
JUDGE

(ARCHANA PURI)
JUDGE

11.02.2021

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no