

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.646 of 2022 (O&M)

Date of Decision:02.02.2022

Monika

.....Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Dalbir Singh, Advocate
for the petitioner.

Mr. Samarth Sagar, Addl.AG., Haryana.

LISA GILL, J(Oral).

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Prayer addressed in this writ petition is as under:-

“Civil writ petition under Article 226 of the Constitution of India for the issuance of a writ of an appropriate nature thereby directing the official respondents to allow the petitioner continue/re-join/adjust on the post of Extension Lecturer/Assistant Professor in the subject of Commerce as she has been forced not to continue with her post due to medical and maternity issues and thereafter even her claim for adjustment has not been considered and as per directions/guidelines she is duly entitled to continue/re-join/adjust on the post of Extension Lecturer/Assistant Professor in the subject of Commerce.

AND

Further directions may be issued to extend equal protection to the petitioner at par with other guest/extension lecturers.

AND

Any other appropriate writ/order/direction which this Hon'ble High Court may deem fit and proper keeping in view the facts of the present case may kindly be issued/passed/given.”

Learned counsel for the petitioner submits that the petitioner had been appointed as an Extension lecturer in the Session 2013-14 and she worked as such from 05.02.2014 till 30.04.2014. He further submits that though the experience certificate states that the petitioner worked as a resource person, in-fact she was working as an Extension lecturer. However, she could not continue to work as she was not afforded maternity leave. She was blessed with a child on 30.11.2014. Thereafter, the petitioner sought adjustment as an Extension lecturer. Reference has been made by learned counsel to an application dated 05.07.2019, Annexure P-5, submitted by the petitioner to the Director Higher Education, Panchkula, wherein the petitioner sought to be adjusted as an Extension lecturer while submitting that she had been working as an Extension lecturer in the Department of Commerce at the Government College for Women, Mahendergarh since 2013, which *prima facie* appears to be incorrect as per Experience Certificate dated 02.07.2019, Annexure P-3, which states that petitioner worked from 05.02.2014 till 30.04.2014. It is however contended vehemently by learned counsel, that the petitioner being eligible as per Policy dated 04.03.2020, is not being adjusted in an unjustified manner.

Learned counsel for the petitioner is unable to deny that the petitioner has not approached this Court since being relieved in 2014. It is to be noticed that though stated in the writ petition that the petitioner had approached various colleges and respondent no.2 for adjustment and submitted applications but no such application except the one dated 05.07.2019 is on record and neither are there details of any others. Petitioner

has admittedly not approached the authorities for being appointed or for adjustment as an Extension lecturer in terms of Policy dated 04.03.2020. Therefore, keeping in view the facts and circumstances of the case, I do not find any ground whatsoever to interfere in this writ petition, at this stage.

Petition is accordingly dismissed with no order as to costs. Needless to say, in case, the petitioner is eligible as per the policy, she is at liberty to approach the authorities for appointment or adjustment as an Extension lecturer in accordance with the applicable guidelines/ rules/ policy/ law. There is no expression of opinion on the eligibility or otherwise of the petitioner for appointment/adjustment.

02.02.2022
s.khan

[LISA GILL]
Judge

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