

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

CWP-2951-2022

Date of Decision:17.02.2022

KSHYMA

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Aman Priye Jain, Advocate
 for the petitioner.

Mr. Saurabh Mohunta, D.A.G., Haryana.

(Presence marked through Video Conference)

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of *certiorari* to quash the impugned order dated 23.12.2021 (Annexure P-12) vide which her services have been terminated.

2. Learned counsel for the petitioner submits that the petitioner was appointed as Accounts Assistant on contract basis under National Health Mission in the Office of Civil Surgeon, Sector-6, Panchkula, Haryana on 14.03.2017. Vide impugned order dated 23.12.2021 (Annexure P-12), the Civil Surgeon, Panchkula terminated the services of the petitioner without affording any opportunity of hearing to her.

3. On advance service, learned State counsel strenuously opposes the petition on the ground that the petitioner herself had tendered a resignation dated 18.09.2021 (Annexure P-6). The writ petition is thus liable to be dismissed on this ground alone.

4. Having heard the learned counsel for the petitioner and also the learned State counsel, who appears on advance service of copy of the petition, I find no grounds to interfere.

5. *Ex-facie*, case pleaded in the petition shows that there are disputed questions of facts. Whether or not petitioner tendered resignation cannot be adjudicated under the extra-ordinary writ jurisdiction of this Court.

6. In any case, being a contractual employee, the petitioner ought to have invoked her other alternative civil remedy, as may be available to her, in case of violation, if any, of the terms of her appointment.

7. Dismissed with liberty as above.

(ARUN MONGA)
JUDGE

17.02.2022
gurpreet

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