

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

CWP-3015-2022

Date of Decision:17.02.2022

ANITA

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Vikas Kumar Dhariwal, 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 05.01.2021 (Annexure P-8) vide which her services have been terminated.

2. Learned counsel for the petitioner submits that the petitioner was engaged as Asha Worker on contractual basis on 02.02.2005 and deputed at Village Nidani, Jind. However, vide impugned order dated 05.01.2021 (Annexure P-8), the services of the petitioner have been summarily terminated by the respondent-department.

3. On advance service, learned State counsel strenuously opposes the petition on the ground that the services of the petitioner were terminated on account of her having been caught red handed for gender test by the team of P.N.D.T and also for receiving Rs.11,000/-. Hence, an FIR was registered against her. He also submits that the petitioner being a contractual employee, the writ is not maintainable.

4. Per contra, Learned counsel for petitioner argues that the petitioner has wrongly been involved in the FIR under Section 420 IPC.

5. I have heard learned counsel for the parties and gone through the case file

6. Concededly, the petitioner's services were hired on contract. The contractual employee has only very limited rights confined within the four corners of the contract of employment. There is very limited scope of this Court to interfere in the extra-ordinary writ jurisdiction.

7. Even otherwise, *ex-facie* case pleaded in the petition shows that there are disputed questions of facts, which cannot be adjudicated under the extra-ordinary writ jurisdiction of this Court.

8. Dismissed with liberty to the petitioner to seek appropriate alternative remedy as may be advised and available in law.

(ARUN MONGA)
JUDGE

17.02.2022

gurpreet

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No