

In the High Court of Punjab and Haryana at Chandigarh

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CWP-6688-2013 (O & M)

Date of Decision: July 13, 2022

RUBY SURI

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.J.S. Mehndiratta, Advocate for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab.

Mr. R.K. Arora, Advocate for respondent No.3.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has challenged the order dated 11.05.2011 whereby her services have been terminated.

Learned counsel for the petitioner submits that the petitioner had been employed as a Data Entry Operator with the respondents and had been working for a period of four years. Her services have been terminated by a stigmatic order and she has not been granted any opportunity of hearing.

Learned counsel for respondent No.3, however, submits that before termination of services, notice had been issued to the petitioner and she had not filed any response thereto. The petitioner was a contractual employee with the respondents. He further states that the petitioner has preferred this petition two years after her termination from service.

In response to the query of this Court as to whether the notice has been received by the petitioner, learned counsel for the respondent submits that an official had been sent and he had recorded that the petitioner had refused to

accept notice. In such an eventuality where the employee is refusing to accept notice, the respondents ought to have sent the notice through electronic mode or through registered post so that authenticity of the service could be established. The petitioner is a young lady, who has been working for over four years. A perusal of the order indicates that allegations have been made with regard to her work and conduct, which are not apparent from the material on record. No material has been placed by the respondents in this regard.

In view of the above, especially when the petitioner has challenged the termination order after a period of two years and she was only a contractual employee, I do not deem it appropriate to interfere with the order of termination.

However, in view of the afore-noted factual backdrop, the order would not be treated as stigmatic so as to render the petitioner unfit for future service. The remarks against her conduct are hereby expunged.

The petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

July 13, 2022
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No