

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

234

CWP-1443-2019 (O&M)

Date of Decision: 15.03.2023

MANOJ KUMAR

... Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Bhupinder Malik, Advocate
for the petitioner.

Mr. Rohit Arya, DAG Haryana.

Mr. Jatin Kaushik, Advocate for
Mr. Nilesh Bhardwaj, Advocate
for respondent No.4.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for issuance of a writ in the nature of Certiorari quashing the order dated 11.01.2019 (Annexure P-1) passed by the respondent-Department, vide which the petitioner was relieved from the duty, arbitrarily.

Learned counsel for the petitioner submits that post his service in the Indian Air Force, the petitioner had joined the Education Department in the year 2014, where he worked as such till 01.09.2017; that, thereafter, the petitioner joined the Government Girls College, Rewari on 23.08.2018 and that the impugned order has been passed without considering the guidelines dated 20.07.2017 (Annexue P-3) issued by the Government of Haryana. The relevant extract of the guidelines dated 20.07.2017 would read as under:-

'1 to 7.

8. *The extension lecturers shall be engaged for one academic sessions or till the joining of regular Assistant/Associate Professor on appointment or transfer; whichever is earlier.*

9 and 10.

11. *The extension lecturers shall be removed by the Principal if their work and conduct is not found satisfactory, by giving proper justification'.*

On the other hand, learned State counsel and learned counsel for respondent No.4 submits that after passing of the impugned order, the petitioner approached this Court by way of the present petition; that vide order dated 21.01.2019 passed by a Coordinate Bench of this Court, operation of the impugned order was stayed and that post passing of the said order, the petitioner was allowed to re-join his duties.

Learned State counsel further submits that now the services of the petitioner have been terminated following a complaint against him under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (for short 'the Act'); that against the said termination order, the petitioner has preferred CWP-24073-2019, which is pending adjudication before this Court and that, once the services of the petitioner have been terminated, the present petition has become infructuous.

Learned counsel for the petitioner does not dispute the contentions raised by the learned State counsel.

I have heard the learned counsel for the parties.

It is not disputed that post passing the order dated 21.01.2019 by a Coordinate Bench of this Court, the petitioner was allowed to re-join his duties. But the fact remains that following a complaint under the Act, against him, the services of the petitioner were terminated and that too after holding an inquiry. Against the said termination order, the petitioner has already filed CWP-24073-2019, which is pending adjudication.

In view of the above, the present petition has become infructuous.

Dismissed as having become infructuous.

15.03.2023

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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