

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

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**CWP-5883-2022 (O&M)
Date of decision: 25.04.2023**

Sunita Devi

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- None for the petitioner.

Mr. Sunil Kumar Vashisth, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the present petition is for issuance of a writ in the nature of Mandamus directing the respondents to release the arrear to the petitioner from the date of stay order dated 19.09.2018 (Anneuxre P-1) to date of joining i.e. 10.02.2021.

Written statement filed on behalf of respondent Nos.1 to 3 is already on record.

Today there is no representation on behalf of the petitioner.

Learned State counsel points out that as per written statement filed on behalf of respondent Nos.1 to 3, the petitioner (Guest Teacher) was transferred/adjusted from Govt. Primary School, Sehlang, Tehsil Kanina, District Mahendergarh to District Gurugram, on joining of regular Teacher, as there was no vacancy of JBT (Guest) in Mahendergarh District at that time

and the petitioner was adjusted in District Gurugram and this fact has been duly admitted by the petitioner in the petition.

Learned State counsel further points out that in CWP-23954-2018 preferred by the petitioner, interim relief was granted to the petitioner by a Coordinate Bench vide order dated 19.09.2018, subject to the condition that if a regular employee comes to join, then she will be relieved. Thereafter, the petitioner remained willfully absent from 19.09.2018 to 10.02.2021 and even she did not inform the authorities, therefore, she cannot claim salary for the said period.

I have heard the learned State counsel and have also gone through the contents of the petition.

The petitioner was transferred from Govt. Primary School, Sehlang, Tehsil Kanina, District Mahendergarh and adjusted in District Gurugram, on joining of regular Teacher, as there was no vacancy of JBT (Guest) in Mahendergarh District, but the petitioner remained willfully absent from 19.09.2018 to 10.02.2021 and even she did not inform the authorities.

In view of the above, no further indulgence of this Court is called for in the present petition.

Dismissed.

(HARNARESH SINGH GILL)
JUDGE

25.04.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No