

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(224)

CWP No. 7090 of 2019

Date of Decision : 21.11.2023

Gurnitika Kaur

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikram Amarnath Garg, Advocate with
Mr. Jaskirat Singh, Advocate for
Dr. Surya Parkash, Advocate for the petitioner.

Mr. Harish Rathee, Sr. Deputy Advocate General, Haryana.

Mr. Raj Kaushik, Advocate with
Mr. Peeush Aggarwal, Advocate
for respondent No. 3.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the petitioner submits that in the present petition, challenge is to the order dated 15.02.2019 (Annexure P-4) by which the services of the petitioner were terminated. Learned counsel for the petitioner submits that the work of the post on which the petitioner was working existed, which work was ultimately given to respondent No. 3, who was appointed much after the petitioner, which act on the part of the respondents is arbitrary and illegal.

2. The other argument raised by the learned counsel is that before completion of the tenure, the services of the petitioner were

terminated without even affording an opportunity of hearing, which act is arbitrary and illegal. Learned counsel for the petitioner submits that even as of today, the work of the post on which the petitioner was working exists hence, the respondents be directed to decide the claim of the petitioner as to whether, the petitioner can be accommodated on the post on which she was working and the petitioner will not claim any benefit for the interim period.

3. Learned State counsel submits that in case, the petitioner files any representation claiming the benefit of adjustment in service, appropriate order will be passed and in case, the work of the post on which the petitioner was working exists and she can be allowed to discharge the duties of the said post, appropriate order will be passed within a period of eight weeks of the receipt of any such claim, otherwise, the detail reasons for not accepting the claim of the petitioner will be given while passing a speaking order.

4. Learned counsel for the petitioner submits that keeping in view the said statement of learned counsel for the respondents, the present petition may kindly be disposed of having been not pressed any further with liberty as prayed for.

5. Ordered accordingly.

November 21st, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No