

CWP-6935-2023 -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(117)

CWP-6935-2023

Date of decision : 15.05.2023

Janak Dulari

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Inder Pal Goyat, Advocate for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

...

SUVIR SEHGAL, J. (Oral)

1. By way of present petition filed under Article 226 of the Constitution of India, petitioner has approached this Court for issuance of a writ in the nature of mandamus directing respondent No.2 to grant extension of service to the petitioner on the post of Stitching Instructor.

2. Counsel for the petitioner submits that the petitioner has been working as a Stitching Instructor in the State After Care Home (Girls), Karnal, since October, 2017, initially on part-time basis and w.e.f. 04.06.2019, Annexure P-6, on full time basis at D.C. rate. Counsel submits that the petitioner's tenure has been extended from time to time, but after the expiry of tenure on 31.08.2022, further extension has not been given forcing her to approach this Court. Counsel submits that by Annexure P-11, recommendation has been sent by the Incharge on behalf of the Institute to engage the petitioner.

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3. Pursuant to order dated 10.04.2023 passed by this Court, reply by way of affidavit of Superintendent, State After Care Home (Girls), Karnal, has been filed, which is taken on record, wherein it has been inter alia submitted as under:-

“8. That so far as the query (sic query) raised by the Hon’ble High Court vide order dated 10.04.2023 as to whether work is available on the post of Stitching Instructor, in this regard it is submitted that now the strength of the inmates have been decreased considerably and presently only 30 inmates are staying in the institute and due to this reason, there is no need of the post of tailoring technician in the office of answering respondent and the deponent/respondent vide office letter No.351 dated 11.04.2023 (Annexure R-1) had already informed the office of District Program Officer, Women & Child Development, Karnal. Since the post of tailoring technician/ instructor is not required, therefore, the contract of the petitioner could not be extended further. Moreover this post is neither sanctioned nor permanent, therefore, it could not be uploaded on the portal of Haryana Kaushal Rojgar Nigam.”

4. On a specific query, State counsel, upon instructions, from Mr. Shree Bhagwan, Assistant, Women and Child Development Department, Haryana, Panchkula, submits that in case there is an increase in the number of inmates in the State After Care Home (Girls), Karnal, and the need arises for engaging a Stitching Instructor, the post shall be advertised as per criteria and the petitioner can be given preference in view of her experience.

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5. Counsel for the petitioner is satisfied with the statement of the State counsel.
6. In view of above, petition stands disposed of.

(SUVIR SEHGAL)
JUDGE

15.05.2023
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No