

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

**COCP-1603-2021 (O&M)
Date of decision: 16.02.2023**

Anil Kumari

... Petitioner

Vs.

Anand Mohan Sharan and ors.

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sajjan Singh, Advocate for the petitioner.

Mr. Ashish Yadav, Addl. AG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

The petitioner alleges violation of the order dated 07.06.2021, which reads as under: -

“The petitioner Anil Kumari is aggrieved against the action of the official respondents to relieve her on the ground of less work-load.

Learned counsel at the outset submits that the relieving order dated 27.05.2021 (P16) has fallen to error on two counts. Firstly, he submits that in fact the petitioner’s Ph.D. degree has already been verified and therefore, it is wrong to treat her ineligible and on the other hand, the non-Ph.D./unqualified persons (on account of not passing NET) have been retained. He secondly, submits that the work-load does not warrant relieving of the petitioner. Even otherwise, he submits that if anybody was to be relieved, either the person ineligible or a person who had joined after the petitioner, ought to have been relieved at the first instance. In this regard, counsel makes a specific reference to the pleadings in paras 14 and 15 of the petition.

Notice of motion.

On the asking, Mr. Anant Kataria, DAG Haryana accepts notice through video conferencing.

List on 20.09.2021.

Reply, if any, be filed meanwhile.

In the meantime, it is directed that let the petitioner be allowed to continue in service and till the next date of hearing, operation of the impugned relieving order (P16) shall remain stayed.”

Learned counsel for the petitioner submits that though the petitioner is continuing in service, however, she has not been paid the entire salary. It is further submitted that even for a small period of 15 days, starting from 27.05.2021 to 09.06.2021, salary is not paid.

In view of the affidavit of Principal, Govt. College, Jind, this contempt petition does not survive.

Learned State counsel undertakes that in case the salary for the aforesaid period of 15 days is not paid till date, same will be paid within a period of one month from today.

In view of the above, present petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

16.02.2023
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No