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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP-15248-2023

Date of Decision:19.07.2023

SUKHWINDER KUMAR

..... Petitioner

*Versus*

CANARA BANK AND ORS.

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present : Mr. Austosh Pandey, Advocate for  
Mr. J.S. Jaidka, Advocate  
for the petitioner.

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**JAGMOHAN BANSAL, J. (Oral)**

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of order dated 04.03.2021 (Annexure P-7) by which the services of the petitioner have been terminated.

2. The petitioner was appointed with respondent-Bank on 20.05.2014 on temporary basis. The services of the petitioner came to be terminated vide letter dated 28.03.2015, however, he was taken back in service vide letter dated 10.04.2015. The services of the petitioner again came to be terminated vide letter dated 24.04.2015. The petitioner preferred CWP No.16870 of 2015 before this Court which came to be disposed of vide order dated 10.02.2020 with liberty to petitioner to submit his representation/reply within 2 weeks and respondent-Bank was directed to pass final order within 2 weeks thereafter. The petitioner filed representation which has been rejected vide impugned order dated

04.03.2021.

3. The petitioner was working as peon on temporary basis. The services of the petitioner were terminated in 2015. The impugned order has been passed on 04.03.2021 and present writ petition has been filed after the expiry of more than 2 years from the date of impugned order. There is no explanation for delay and latches. Apart from delay, it is relevant to mention that petitioner was appointed on temporary basis, thus, he had no right to claim continuation of service. It is the employer who has to choose its employees. Court cannot ask any authority to make appointment of anyone on any post on temporary basis. It is not a case of regular post. The respondent in the impugned order has assigned reasons for the removal of petitioner from service.

4. This Court does not find any ground to interfere. The petition sans merit and deserves to be dismissed. Accordingly dismissed.

( JAGMOHAN BANSAL )  
JUDGE

19.07.2023  
*Ali*

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|---------------------------|---------------|
| Whether speaking/reasoned | Yes/No        |
| <i>Whether Reportable</i> | <i>Yes/No</i> |