

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

**CWP-13305-2015 (O&M)
Date of decision: 19.01.2023**

Nirmla Devi

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Manoj Makkar, Advocate for the petitioner.

Mr. R.S. Budhwar, Addl. AG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the petition is for issuance of a writ in the nature of certiorari quashing the order dated 11.03.2014 (Annexure P-10) passed by respondent No.2 whereby respondent No.2 has rejected the claim of the petitioner and to adjust the petitioner on the post of Cutting and Tailoring Instructor in Government Industrial Training Institute Julana District Jind against vacant post on preferential basis as per order dated 27.05.2010 (Annexure P4) passed by respondent No.2 in view of the order dated 24.01.2008 passed by the Division Bench of this Court.

Learned counsel for the petitioner submits that the petitioner was appointed as C.G.D.M. Instructor on contract basis on 19.10.2006 for a period of six months or till the regular selected candidates are available from Commission, whichever is earlier. The services of the petitioner along with similar other employees were dispensed with on 28.01.2010. Out of them,

some of the candidates challenged the termination order by way of filing the writ petition and during the pendency of the said petition, the official respondents agreed to adjust the petitioner and others vide order dated 27.05.2010. But as the petitioner was not one of the petitioners, in the said writ petition, she has no information qua the order dated 27.05.2010 and even the Principal, ITI Sujapur, instead of giving any information to the petitioner to join the duty, appointed respondent No.6-Manju at her place.

Learned counsel for the petitioner points out that as of now, similar posts are still vacant.

Learned State counsel, while opposing the prayer of the learned counsel for the petitioner, submits that the petitioner and other candidates were asked to join the duties vide order dated 27.05.2010. Rather, it was the petitioner, who herself moved an application stating therein that she could not join at ITI Sujapur because of some domestic problems and she may be adjusted in nearest station at Jind, Hisar, Rohtak and Kurukshetra. In CWP-6240-2013 preferred by the petitioner, vide order dated 15.05.2013 respondent No.2 was directed to consider the claim of the petitioner. In compliance of the order dated 15.05.2013, the case of the petitioner was examined in detail and it was found that she is not entitled as claimed for.

I have heard the learned counsel for the petitioner and have also gone through the case file.

In view of above, this Court is of the view that vide order dated 27.05.2010 passed by respondent No.2-Director Industrial Training Institute and Vocational Education, Haryana, after giving relaxation in the requisite qualification, the petitioner along with other co-employees were adjusted in

various ITI/ITI(W) and it was the petitioner, who herself gave in writing that due to her domestic problem she will not be able to join at ITI Sujapur, thus, the relief cannot be granted to the petitioner as sought for.

Dismissed.

(HARNARESH SINGH GILL)
JUDGE

19.01.2023
Mangal Singh

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