

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

212/2

CWP-10539-2017

Date of Decision: 04.08.2023

**Neelam Kaushal**

**...Petitioner**

**Versus**

**Board of Governors of National Institute of Technology,  
Kurukshetra (Haryana) and Another**

**...Respondents**

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

Present:- None for the petitioner

Mr. A.S. Virk, Advocate for respondents

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

1. There is no representation on behalf of the petitioner, however, the matter is taken up because vide order dated 17.05.2017 passed by this Court, while issuing notice of motion, the present petition was ordered to be listed along with CWP No.8448 of 2017. The interim order was also passed in the same terms as CWP No.8448 of 2017.

2. Apart from present petition, CWP-12312-2016, CWP No.11469-2017, CWP-13814-2017 and CWP-8448-2017 were listed. All the petitions have been disposed of with the consent of both sides. There seems to be no reason to keep the present petition pending and accordingly the present petition is disposed of in same terms.

3. The petitioner through instant petition under Article 226 of the Constitution of India is seeking:-

- i. setting aside of action of respondent to relieve the petitioner before summer vacations;
- ii. pay the petitioner minimum pay scale meant for the posts; and
- iii. not to replace the petitioner till regular appointments are made.

4. Learned counsel for the respondents submits that the petitioner has already been relieved and regular employee has already been appointed in place of the petitioner.

5. The petitioner was not relieved prior to summer vacation, thus, prayer qua not relieving the petitioner prior to summer vacation has rendered infructuous.

6. The petitioner has already been relieved and a new set of regular employees have already been appointed, thus, prayer of the petitioner not to relieve her till appointment of regular employees has also rendered infructuous. The petitioner against regular appointment is at liberty to avail remedy in accordance with law as petition is disposed of on the basis of statement of learned counsel for the respondents.

7. A Coordinate Bench of this Court vide order dated 21.11.2019 passed in *Atul Wadhwa Versus National Institute of*

**12626-2016** has held that petitioners are entitled to payment of minimum regular pay scale. The respondents have filed intra court appeal before this Court. A Division Bench of this Court vide order dated 27.02.2020 while taking up 6 LPA(s) involving identical issue has directed to maintain status quo in respect of amount of salary/emoluments.

8. Learned counsel for the respondents submits that petitioner would be paid same benefit, as, at any stage, is paid to the respondent in LPA No.161-2020 on account of dismissal of LPA or otherwise.

9. In view of statement of learned counsel for the respondents, the present petition is disposed of.

There is no representation of the petitioner, thus, the petitioner is at liberty to move an appropriate application if something survives.

(JAGMOHAN BANSAL)  
JUDGE

04.08.2023  
Mohit Kumar

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |