

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212/3

CWP-11469-2017

Date of Decision: 04.08.2023

Poonam

...Petitioner

Versus

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

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Sukhdeep Singh, Advocate for the petitioner

Mr. A.S. Virk, Advocate for respondents

JAGMOHAN BANSAL, J. (Oral)

1. 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.

2. Learned counsel for the parties are *ad idem* that the petitioner has already been relieved.

3. As per learned counsel for the respondents, regular employee has already been appointed in place of the petitioner.

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

5. 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 is disputing appointment of regular employees, thus, she is at liberty to avail remedy in accordance with law, however, petition is disposed of on the basis of statement of learned counsel for the respondents.

6. A Coordinate Bench of this Court vide order dated 21.11.2019 passed in ***Atul Wadhwa Versus National Institute of Technology Kurukshetra and Another; RA-CW-84-2019 in CWP-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.

7. 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.

8. Learned counsel for the petitioner agrees to the said arrangement.

In view of statement of both sides, the present petition is disposed of.

(JAGMOHAN BANSAL)
JUDGE

04.08.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>