

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212/5

CWP-8448-2017 (O&M)

Date of Decision: 04.08.2023

Dr. Kranti Walia and Others

...Petitioners

Versus

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

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. R.K. Malik, Senior Advocate with
Mr. Samrat Malik, Advocate for the petitioners
Mr. A.S. Virk, Advocate for respondents

JAGMOHAN BANSAL, J. (Oral)

CM-15327-CWP-2017

Application preferred by applicant/petitioner No.3 for withdrawal of petition with respect to herself is allowed. Petition qua applicant/petitioner No.3 stands dismissed as withdrawn.

CM stands disposed of.

CWP-8448-2017

1. The petitioners through instant petition under Article 226 of the Constitution of India are seeking:-

- i. setting aside of action of respondent to relieve the petitioners before summer vacations;

- ii. pay the petitioners minimum pay scale meant for the posts; and
- iii. not to replace the petitioners till regular appointments are made.

2. Learned senior counsel for the petitioners and learned counsel for the respondents are *ad idem* that the petitioners except petitioner Nos.4 & 26 have already been relieved.

3. As per learned counsel for the respondents, regular employees have already been appointed in place of the petitioners.

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

5. The petitioners have already been relieved and a new set of regular employees have already been appointed, thus, prayer of the petitioners not to relieve them till appointment of regular employees has also rendered infructuous. The petitioners are disputing appointment of regular employees, thus, they are at liberty to avail remedy in accordance with law, however, petitions are 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-***

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 petitioners 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. With respect to petitioner Nos.4 & 26, he submits that they would not be relieved till the regular appointments are made.

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

9. 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>