

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

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CWP-46-2023 (O&M)

Date of Decision: 06.01.2023

PAWAN KUMAR

... Petitioner

Versus

STATE OF HARYANA AND ORS.

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Amit Dhanda, Advocate
for the petitioner

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks quashing of the order dated 29.09.2016 (Annexure P-7), vide which the services of the petitioner had been terminated, without affording him an opportunity of hearing.

Learned counsel for the petitioner submits that on 28.12.2015, an advertisement was issued by Principal, Government ITI (Women), Narnaul, to fill up various posts; that pursuant thereto, the petitioner had also applied; that a total of 17 applications were received against 4 vacant posts and that on 01.01.2016, the petitioner was appointed to the post of SS Instructor, at DC Rates by the Principal, Government ITI (Women), Narnaul (appointing authority). He further submits that the services of the petitioner along with others were terminated vide order 29.09.2016 and that against the order dated 29.09.2016, the petitioner approached this Court by way of CWP

No.20873-2016, which was dismissed on 10.11.2016 as the State took a specific stand that the Principal, Government ITI, Narnaul, was having no authority to make the appointment. It is further submitted that in a departmental enquiry against the Principal, Government ITI (Women), Narnaul, he was exonerated on 14.03.2022 and thus, the appointments made by him are not bad in the eyes of law.

I have heard the learned counsel for the petitioner.

As noticed above, the petitioner was appointed on 01.01.2016 to the post of SS Instructor and his services were terminated on 29.09.2016. The petitioner had earlier also challenged the order impugned herein by way of CWP No.20873-2016, which was dismissed by the Coordinate Bench of this Court on 10.11.2016 by passing a detailed order. Thereafter, the petitioner has neither filed a review application nor an LPA, challenging the order dated 10.11.2016.

The petitioner has now again approached this Court after a period of about 6 years, merely on the ground that the Principal, Government ITI (Women), Narnaul-cum-the then Appointing Authority, has now been exonerated in the departmental enquiry. However, the same is no ground to interfere in the present case, especially when the order dated 10.11.2013 passed by the Coordinate Bench, has attained finality.

No other point has been urged.

Thus, finding no merit in the present petition, the same is hereby dismissed.

06.01.2023

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned
Whether reportable

: *Yes/No*
: *Yes/No*