

**CWP-3665-2006****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Sr.No.202****CWP-3665-2006(O&M)
Date of Decision:05.11.2024****Renu Verma****..Petitioner****VERSUS****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present:- Mr. Shreesh Kakkar, Advocate for
Mr. Kapil Kakkar, Advocate
for the petitioner.

Mr. T.P.S. Chawla, Sr.DAG, Punjab

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HARSIMRAN SINGH SETHI, J.(ORAL)

1. In the present petition, the prayer of the petitioner is that she was selected as a Hindi Mistress keeping in view the advertisement dated 12.01.1996, vide which 1000 posts of Hindi Masters/Mistresses were to be filled up and the petitioner, after selection, was appointed and allowed to join on the post on 05.05.1997 and thereafter the petitioner successfully completed her probation and was confirmed in the service. After a period of 09 years of appointment, the petitioner was served a show cause notice dated 07.02.2006 (Annexure P-5) that the selection of the petitioner was wrongly made in the category of male whereas, she is a female hence, the petitioner's service is liable to be terminated, which act on the part of the respondent is arbitrary and illegal.



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2. Learned counsel for the petitioner submits that while issuing notice of motion, the operation of the impugned order dated 07.02.2006 (Annexure P-5) proposing the termination of the services of the petitioner was stayed by this Court and the petitioner is continuing in service for the last 27 years.

3. Learned counsel for the petitioner further submits that keeping in view amendment in the Punjab State Education Class III (School Cadre) Rules, 1978, wherein, there is only one cadre of Master and Mistress after July 1995, the judgment was passed by this Court in CWP No. 12953-2020, titled as *Nidhi Sharma and others vs. State of Punjab and others, deided on 19.09.2024 and other connected cases* holding that after 1995, there is only one cadre of Master and Mistress hence, keeping in view the said judgment, the respondents are liable to reconsider the case of the petitioner also, whether the services of the petitioner are liable to be terminated especially when the petitioner has already served the respondents-department for the last 27 years.

4. Learned State counsel submits that the claim of the petitioner for continuing in service will be examined afresh keeping in view the judgment passed by this Court in *Nidhi Sharma's case (supra)* and also the fact that the petitioner has already served the department for the last 27 years. Learned State counsel further submits that in case, the petitioner is also continuing in service as of now, the petitioner will be allowed to continue in service till any fresh order is passed by the respondents.

5. Learned counsel for the petitioner submits that keeping in view the statement made by learned State Counsel, the present petition may



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kindly be disposed of having been not pressed any further.

- 6. Ordered accordingly.
- 7. Pending application, if any, also stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

05.11.2024
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1. Whether speaking/reasoned?	Yes
2. Whether reportable?	No