



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(242)

CWP No. 21486 of 2019 (O&M)

Date of Decision : 13.08.2024

Rupinder Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kunal Dawar, Advocate for the petitioner.

Mr. Swapan Shorey, Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that the services of the petitioner, who was working as a Guest Faculty Lecturer in English in P.G.S. Government College of Physical Education, Patiala, have been terminated by the respondents vide order dated 31.07.2019 (Annexure P-4) on the ground that a part time employee i.e. respondent No. 4 has been posted at the said station.

2. Learned counsel for the petitioner submits that by the transfer of the part time employee, the services of the petitioner who was working as Guest Faculty Lecturer has been terminated, which action on the part of the respondents is arbitrary and illegal.

3. Learned counsel for the respondents submits that keeping in view the adjustment of a part time Lecturer, who had a better status as compared to the petitioner who was working as a Guest Faculty Lecturer, the



services of the petitioner were no longer required hence, the petitioner cannot raise any grievance qua the termination order. Learned counsel for the respondents further submits that as of now, the said College is not in existence, hence, under any circumstances, the petitioner cannot be allowed to re-join post which is not in existence any more.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. It may be noticed that a Guest Faculty Lecturer has no right to continue in service. The only right that a Guest Faculty Lecturer has is that they cannot be replaced by another Guest Faculty Lecturer. In the present case, a part time Lecturer who was already working with the respondents has been posted at the place where the petitioner was discharging the duties. After the posting of such Officer, the services of the petitioner were not required, hence, her services have been terminated. Nothing wrong can be found with the said adjustment of a part time Lecturer.

6. Even otherwise, as of now, the Institution where the petitioner was working is no longer in existence, hence, the question of reinstatement does not arise.

7. At this stage, learned counsel for the petitioner submits that the respondents in their reply have stated that in case, the petitioner wanted to be adjusted at any other place, the said claim can be considered and the direction was issued by the Co-ordinate Bench to explore the said possibility but respondents did not consider the said claim.

8. Keeping in view the said fact, the respondents are directed to pass appropriate order as to whether the petitioner can be adjusted at any



other place. In case, after consideration it is found feasible to adjust the petitioner, the petitioner be adjusted otherwise, due reasons be given for not adjusting the petitioner, which reasons be conveyed to the petitioner as well.

9. Keeping in view the above, no ground is made out for any interference by this Court in the present petition.

10. Dismissed.

11. Pending miscellaneous application, if any, also stands disposed of.

August 13, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No