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

CWP-10236-1998(O&M)

Date of decision : 08.07.2025

Balvir Sharma

.....Petitioner

Versus

Indian Red Cross Society Punjab State, Chandigarh
and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE DEEPINDER SINGH
NALWA**

Present: Mr. B.S. Aulakh, Advocate for the petitioner.

Ms. Drishtana Singh, Advocate (through video
conferencing) for respondent No.1.

Mr. Arjun Pratap Atma Ram, Advocate for respondent
No.2.

DEEPINDER SINGH NALWA, J. (Oral)

In the present writ petition, the petitioner is praying for a writ in the nature of Certiorari for quashing the order dated 30.06.1998 (Annexure P-2) vide which, the services of the petitioner were terminated.

2. The brief facts of the case are that the petitioner was employed as a Clerk by the President, District Red Cross Branch, Muktsar on 15.06.1997 on a consolidated salary of Rs.1500/- per month. Thereafter, the petitioner was appointed on the post of Clerk on permanent basis on the pay scale of Rs.3120-100-3230 vide letter dated 28.02.1998 (Annexure P-1). However, vide order dated 30.06.1998 (Annexure P-2), services of the petitioner were terminated. A perusal of the aforesaid order would show that the reason for



termination of the petitioner was that as the petitioner was appointed under the project/scheme which was running in deficit, therefore, it was difficult for the respondent to run the Scheme due to financial constraint.

3. Thus, aggrieved against the abovesaid order dated 30.06.1998 (Annexure P-2), the petitioner has approached this Court challenging the same. Hence, the present writ petition.

4. Learned counsel for the petitioner submits that in fact no notice was given before terminating the services of the petitioner, therefore, order passed by the respondent on 30.06.1998 (Annexure P-2) was in violation of principle of natural justice. As such, the impugned order dated 30.06.1998 (Annexure P-2) is liable to be set aside.

5. Learned counsel for respondent No.2 submits that the services of the petitioner were not terminated on the basis of any misconduct. In fact, the petitioner was employed under a project/scheme. As there was a financial constraint, taking into consideration the requirement of the posts, some employees were terminated from service and some were retained in service. He further submits that once there was no dispute in regard to the fact that the project/scheme under which the petitioner was appointed was running in losses, then the respondent had no option but to terminate the services of the petitioner which is legal and valid.

6. I have heard learned counsel for the petitioner at some length and perused the paper-book.



5. It is well settled law that an employee who is employed under a project/scheme, his/her services can be terminated taking into consideration the financial constraint. There is no vested right in the case of employees employed/appointed under the project/scheme. It is also not been disputed by learned counsel for the petitioner that he was appointed under project/scheme and the project/scheme under which the petitioner was appointed was running in losses. It is also not a case of petitioner that juniors to petitioner were retained in service.

6. Taking into consideration the facts of the case, this Court finds no infirmity in the impugned order dated 30.06.1998 (Annexure P-2) and accordingly the present writ petition is dismissed.

7. Pending application(s), if any, shall also stand(s) disposed of.

08.07.2025
d.gulati

(DEEPINDER SINGH NALWA)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No