



CWP-8700-2016

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

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CWP-8700-2016

Date of Decision: 02.04.2025

Seema Mahajan

...Petitioner

Versus

DAV College Management Committee & others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Vipin Mahajan, Advocate and
Ms. Chandanpreet Kaur Ahluwalia, Advocate for the petitioner
Mr. Rajdeep Singh Cheema, Advocate
for respondent Nos.1, 2 and 4

JAGMOHAN BANSAL, J. (Oral)

1. On 19.02.2020, this Court passed the following order: -

“Mr. Rajdeep Singh Cheema, learned counsel for respondent No. 3-organization, seeks time to get instructions as to whether the organization would be inclined to take a lenient view and reduce the punishment, given the fact that the petitioner rendered nearly 30 years of service before she was removed.

Post on 23.4.2020.”

2. The aforesaid order was followed by orders dated 16.11.2023 and 24.11.2023 which read as under: -

Order dated 16.11.2023

“In terms of order dated 31.10.2023, Mr. Rajdeep S. Cheema, Advocate, who is representing respondents No.1, 2 and 4, submits that the Management is willing to take back the petitioner in service as a Fee Clerk, from the date she intends to join the same, however, she shall not claim any



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monetary benefits from the date of termination of her services till the date she would be taken back in service.

At this stage, learned counsel for the petitioner seeks an accommodation to get necessary instructions from the petitioner in the aforesaid regard.

At his request, adjourned to 24.11.2023.”

Order dated 24.11.2023

“In terms of order dated 16.11.2023, counsel for the petitioner submits that he has instructions that petitioner is ready and willing to join the respondent-management as a fee Clerk and is also ready and willing not to claim any monetary benefit from the date of termination till the date she is taken back in services. However, learned counsel further submits that his past services be counted towards pensionary and other benefits and notional fixation of salary.

At this stage, learned counsel appearing for the respondents submits that Mr. Rajdeep Singh Cheema, who represents respondents No.1, 2 and 4 is in some personal difficulty. However, he would seek instructions in this regard.

At his request, adjourned to 19.01.2024.”

3. Mr. Vipin Mahajan, Advocate submits that petitioner is willing to join as Fee Clerk from tomorrow. She would report at 09:00 AM. She does not claim back wages, however, she may be extended notional benefits for the purpose of pay fixation at the time of rejoining.

4. Mr. Rajdeep Singh Cheema, Advocate submits that if the petitioner does not claim back wages, this Court may consider her claim for notional fixation of pay at the time of rejoining.

5. Considering the factual position and aforesaid interim orders as well as statement of both sides, the present petition stands disposed of with a direction that if petitioner joins office of respondent on 03.04.2025

(Thursday) at 09:00 AM as Fee Clerk, she would not be entitled to back wages, however, her pay would be refixed notionally considering her past service.

(JAGMOHAN BANSAL)

JUDGE

02.04.2025

Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No