



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

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COCp-2922-2020 (O&M)
Date of decision: 20.11.2025

Suman

...Petitioner

V/s

Ankur Gupta and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. S.S. Patter, Advocate, for the petitioner.

Mr. Anuj Garg, DAG, Haryana.

VIKRAM AGGARWAL, J (ORAL)

The present contempt petition has been preferred under Sections 11 and 12 of the Contempt of Courts Act, 1971 (for short the "Contempt Act") and Article 215 of the Constitution of India, alleging willful disobedience of directions issued vide order dated 05.03.2019 (Annexure P-1) passed in CWP-5740-2019.

2. The petitioner (Suman) instituted CWP-5740-2019 with a grievance that she had been relieved from the post of Extension Lecturer in the subject Zoology despite work load being available. The said writ petition was disposed of vide order dated 05.03.2019 and the following directions were issued:-

"Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to consider the case of the petitioner for adjustment, keeping in view the workload is available as per Annexure P-5 in the subject Zoology. The petitioner if adjusted shall continue to work, subject to the condition that her work and conduct is satisfactory. However, it is further made clear that if some new regular candidate joins, the petitioner can be relieved on the basis of last come first go, in view of Mrs. Rita Tondon vs. State of Haryana and others, passed in CWP No.16975-2014, decided on 29.07.2016."

3. The petitioner alleges that despite the aforesaid directions having been passed, she had been relived vide order dated 23.11.2020 (Annexure P-7).

4. In the compliance report submitted by way of affidavit of Sh. Rajiv Rattan, Director, Higher Education, Haryana, it has been averred that pursuant to the directions issued by the writ Court, the petitioner was permitted to rejoin her duties w.e.f. 15.03.2019. Thereafter, in supersession of instructions/policy/guidelines with respect to engaging eligible extension Lecturers in Government Colleges, a consolidated policy dated 04.03.2020 (Annexure R-1) was notified. The said policy was upheld by a Division Bench of this Court vide decision dated 22.09.2020 passed in CWP-6968-2020 (Annexure R-2). The said decision was assailed before the Hon'ble Apex Court and SLPs-6738-6739-2022 were filed, which were dismissed vide order dated 09.01.2023 (Annexure R-3).

5. It has been averred that the petitioner was ineligible but was permitted to continue as extension Lecturer in compliance of the directions issued by the writ Court vide order dated 05.03.2019. However, subsequently, since the new policy had come in and the same had been upheld upto the Hon'ble Supreme Court of India, she was relieved from service. It has also been averred that the Ph.D. degree, which the petitioner was pursuing was awarded to her on 15.12.2020 after she was relieved on 23.11.2020.

6. Learned counsel for the petitioner submits that even though the petitioner acquired Ph.D. degree on 15.12.2020, she became eligible subsequently and she, therefore, should have been taken back as an extension Lecturer.

7. The aforesaid submission is devoid of merit because the petitioner was relieved from her duties vide order dated 23.11.2020 (Annexure P-7) in view of the new policy, in terms of which, she was ineligible. The

policy has been upheld upto the Hon’ble Supreme Court of India. Any subsequent acquisition of eligibility would not entitle the petitioner to be taken back to service pursuant to the directions issued by the writ Court though, it may give a fresh cause of action to the petitioner.

8. That being so, no willful disobedience of the directions passed by the writ Court is found and the contempt petition is accordingly dismissed. Rule stands discharged.

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

(VIKRAM AGGARWAL)
JUDGE

November 20, 2025
vcgarg

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