

2025:PHHC:123011



212

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

**CWP-7555-2018
DECIDED ON: 09.09.2025**

NIKITA

.....PETITIONER

VERSUS

UNION OF INDIA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Sadhvi Bharti, Advocate for
Mr. Manish Soni, Advocate
for the petitioner.

Mr. Rajan Singh Dadwal, Advocate for
respondents/UIO

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Article 226/227 of the Constitution of India for issuance of writ in the nature of certiorari for quashing of Impugned office order dated 23.03.2018 (P/13) whereby the petitioner has been illegal and arbitrary relieved from post of Junior Scientific Consultant for Laboratory Services (On contract basis) as well as Impugned office order dated 03.11.2017 (P/3), passed by the Respondent No. 4 vide which the services of the Petitioner has been deliberately extended only for three months upto 31.12.2017 instead of one year, so as to circumvent and avoid the benefits of paid maternity leave which would be available to the petitioner under the 'The

Maternity Benefits (Amendment) Act, 2017', for the reasons delineated herein in the present petition and in the interest of justice and fair play.

The petitioner was employed on a contractual basis in the position of Junior Scientific Consultant for Laboratory Services. Her services were terminated through an order dated 23.03.2018 (Annexure P-13). The petitioner has challenged this termination on the grounds that her contract had previously been extended by one year. However, vide order dated 03.11.2017 (Annexure P-3), under which her contract had only been extended for a short term of three months specifically from 26.09.2017 to 31.12.2017. It is important to note that the terms and conditions of her engagement were governed by the offer of appointment letter date 19.09.2016 (Annexure P-2), which clearly stipulated that her services could be terminated at any time without notice. This contractual provision was part of the agreed terms from the outset.

Additionally, a letter dated 21.12.2017, issued by the Senior Manager to the petitioner, clarified that the extension of her services till 31.12.2017 was unrelated to her pregnancy. The letter emphasized that the fixed-term nature of her appointment had been clearly established and agreed upon even before the petitioner disclosed her pregnancy.

Mr. Dadwal, learned counsel appearing on behalf of the respondents, contended that the present petition does not survive. He pointed out that the services of the petitioner were dispensed with on 23.03.2018, and she has not been in service since that date. Furthermore, he submitted that the post of Junior Scientific Consultant for Laboratory Services was abolished with effect from 31.12.2017, when the contract of the petitioner came to an end.

In light of the above facts and circumstances, this Court is of the considered view that the petitioner no longer has any enforceable legal right or

claim for continuation in service. There is no subsisting cause of action to justify interference by the Court.

Accordingly, the petition, being devoid of merit, is hereby dismissed.

09.09.2025

Meenu

(SANDEEP MOUDGIL)
JUDGE

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