

2025.PHHC:004289



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

245

CWP-29894-2019 (O&M)
Date of decision: 14.01.2025

Shital

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Harinder Sharma, Advocate
for the petitioner.

Mr. Sehajbir Singh Aulakh, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition for quashing the order dated 05.04.2019 (Annexure P10) to the extent that services of the petitioner have been regularized from 05.04.2019 instead of 01.04.2011.
2. The petitioner had been appointed to the post of Teaching Fellow for District Ferozepur vide appointment letter dated 30.05.2008/29.09.2008 (Annexure P1). Her services came to be terminated vide order dated 22.10.2009 (Annexure P3) on account of fact that respondents had doubted the genuineness of experience certificates and based on the decision of the Selection Committee, the order of appointment was withdrawn. In the criminal case registered against the petitioner in FIR No.136 dated 24.08.2010, she was acquitted on 11.03.2015

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(Annexure P5). The Civil Suit filed by the petitioner for declaration that the orders dated 22.10.2009, 24.08.2010 and inquiry report of the Committee were illegal, was decreed vide judgment dated 17.07.2014 (Annexure P4), the appeal against which filed by the State of Punjab was also dismissed on 04.04.2015 and RSA-6047-2015 was withdrawn on 20.03.2018 (Annexure P8) on account of the fact that she was reinstated vide order dated 23.02.2017, the review of which filed after a delay of 212 days, has been dismissed on 07.06.2024, relevant para of said order reads thus:-

“I, Suresh Arora, District Education Officer (EE) Ferozepur after the perusal of the judgments passed by the Hon’ble Courts, the orders received from the DPI (EE) Punjab through memo No.2/77-2015 Estt.1(3) 627 dated 23.02.2017 and other record of the office have arrived at a conclusion that the case of plaintiff Smt. Shital is required reconsideration continuation of the Appointment letter No.E-2/EE/2008-102-05 dated 25.10.2008 earlier issued by this office. The final decision in RSA No.6047 of 2015 by the Hon’ble Punjab and Haryana High Court and on further appeals to be filed by the Department shall apply to the petitioner Smt. Shital she will not be paid any arrear.”

3. Attention is drawn of this Court to substantiate the claim of the petitioner to letter dated 13.05.2011 (Annexure P12) whereby approval had been granted to regularize services of the Teaching Fellows w.e.f. 01.04.2011, as such the petitioner having admittedly been reinstated in continuation of the appointment letter dated 25.10.2008 as per the aforesaid, could not have been

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denied the benefit thereof, which learned State counsel despite his best efforts has been unable to dispute or justify the impugned order.

4. As a fall out of the afore discussion, the present petition is allowed.

(AMAN CHAUDHARY)
JUDGE

14.01.2025
ashok

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