



RSA-3803-2010 (O&M)

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

RSA-3803-2010 (O&M)

Beena Rani (since deceased) through her LRsAppellants

Vs.

Thapar Polytechnic and anotherRespondents

Reserved on : 24.02.2026
Pronounced on : 26.02.2026
Uploaded on : 06.03.2026

Whether only the operative part of the judgment is pronounced? **NO**
Whether full judgment is pronounced? **YES**

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present : Mr. Samrat Malik, Advocate,
for the appellant.

Mr. Rajat Khanna, Advocate,
for respondent No.1.

SUDEEPTI SHARMA J.

1. The present Regular Second Appeal is preferred by the legal representatives of appellant-Beena Rani (since deceased) against the concurrent finding of both Courts vide the judgment and decree dated 29.04.2005 passed by the learned Civil Judge (Junior Division), Patiala, whereby the civil suit filed by the appellant was dismissed as well as judgment and decree dated 05.10.2006 passed by the learned Additional District Judge, Patiala, whereby appeal preferred by the appellant against the judgment and decree dated 29.04.2005 was also dismissed.

**BRIEF FACTS**

2. Brief facts of the case are that on 08.01.1993, appellant-Beena Rani was appointed as Sweeper. On 24.03.1995, service of the appellant was confirmed as 'Safai Sewaka'. On 29.08.2003, service of the appellant was terminated under Rule 8(d) of her appointment letter under Regulation 13 (iii) of 'Thapar Polytechnic Staff Rules'. On 29.08.2003, an amount of Rs.16,509/- was paid to the appellant vide Cheque bearing No.588221, towards three (03) months wages in lieu of notice period and an amount of Rs.30,267/- was paid to the appellant vide Cheque bearing No. 588222, towards 'Retrenchment Compensation'. On 10.11.2003, Civil Suit challenging the termination order dated 29.08.2003 was filed by the appellant, which was dismissed by learned Civil Judge (Junior Division), Patiala, vide its judgment and decree dated 29.04.2005. The appeal filed against the judgment and decree dated 29.04.2005 was also dismissed by learned Additional District Judge, Patiala, vide its judgment and decree dated 05.10.2006. Hence, the present regular second appeal.

3. Learned counsel for the appellant contends that both the Courts have wrongly dismissed the Civil Suit as well as appeal filed by the appellant. He therefore prays that the present appeal be allowed.

4. Per contra, learned counsel for the respondents contends that both the Courts have rightly dismissed the Civil Suit as well as appeal filed by the appellant. He therefore prays that the present appeal be dismissed.



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5. Admittedly, appellant was appointed as Sweeper on 08.01.1993. A perusal of her appointment letter, which is part of record, shows that as per Clause 8 (d), the services of the appellant could be terminated in the event of retrenchment as a measure of economy by giving notice, as per Rules. The services of the appellant were terminated vide order dated 29.08.2003 under Rule 8(d) of her appointment letter, under regulation 13(iii) of the Rules, as a measure of economy by paying her wages in lieu of three months notice and amount of retrenchment compensation of Rs.16,509/- and Rs.30,267/- were deposited in her saving bank account on 29.08.2003. Thereafter, appellant was terminated from her services as per rules and regulations of the Institute and as per terms and conditions as laid down in the office order of her appointment, which were duly accepted by her before joining her duties. Since her services were terminated after approval from the Chairman, Managing Committee, and after paying her wages for a period of three months in lieu of notice, as required under the Rules, therefore, there is no illegality in the office order dated 29.08.2003 of her termination.

6. In view of the above, I do not find any infirmity or illegality in judgment and decree dated 29.04.2005 passed by the learned Civil Judge (Junior Division), Patiala, and judgment and decree dated 05.10.2006 passed by learned Additional District Judge, Patiala and the same are hereby affirmed.

7. Consequently, present regular second appeal is **dismissed**. Parties are left to bear their own costs. Decree sheet be drawn.



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

(SUDEEPTI SHARMA)
JUDGE

26.02.2026

Virender

Whether speaking/non-speaking : Yes
Whether reportable : Yes/No