

(2014) 01 P&H CK 0176

High Court Of Punjab And Haryana At Chandigarh

Case No: Civil Writ Petition No. 344 of 2013

Ranjodh Singh

APPELLANT

Vs

Director General Elementary
Education Haryana

RESPONDENT

Date of Decision: Jan. 14, 2014

Citation: (2014) 175 PLR 391

Hon'ble Judges: Augustine George Masih, J

Bench: Single Bench

Advocate: C.R. Dahiya, Advocate for the Appellant

Final Decision: Dismissed

Judgement

Augustine George Masih, J.

Petitioner has approached this Court, praying for quashing of the order dated 2.12.2013, Annexure P-3, passed by the Director General Elementary Education, Haryana, respondent No. 1, whereby the deputation orders of the petitioner alongwith others have been cancelled. It is the contention of counsel for the petitioner that the petitioner was working as a Junior Basic Teacher in District Mewat, Haryana. He was sent on deputation against the vacant post for a period of four months in the Government Primary School, Employee Colony, Ratia, District Fatehabad vide order dated 26.7.2013. He joined the said place of posting. Thereafter, the deputation period was extended from 16.11.2013 to 26.3.2014 vide order dated 20.11.2013, Annexure P-2 passed by the Director General Elementary Education, Haryana. However, by a subsequent order dated 2.12.2013, Annexure P-3, the said order, extending the deputation has been cancelled. This, the counsel for the petitioner contends, is not sustainable as there is no reason assigned for cancelling the deputation. Counsel has also placed reliance upon a similar matter i.e. Civil Writ Petition No. 27033 of 2013 (Suresh Kumar and others v. Director General Elementary Education, Haryana, Panchkula and others), where notice of motion has been issued by this Court and the matter is now listed for hearing on 22.3.2014. In

the said case, status-quo has been ordered to be maintained by the respondents. He prays for a similar relief.

2. I have considered the submissions made by counsel for the petitioner and am unable to accept the same in the light of the fact that the order impugned is dated 2.12.2013, Annexure P-3. Although, an explanation has been submitted by counsel for the petitioner that the petitioner is admitted in hospital and, therefore, is still continuing on the post on deputation but this contention cannot be accepted in the light of the fact that deputation cannot be claimed as a matter of right. In any case, initial four months, which was the deputation period, has expired and the subsequent extension, which was granted, has been curtailed by the respondents keeping in view the requirement of that particular area. Mewat is a backward area where a special drive has been undertaken for appointing teachers by the State of Haryana to dispel the illiteracy. If teachers are allowed to go on deputation in such a manner, the very purpose for which the special drive was resorted to by the State of Haryana would be amiss and the same would fail. That cannot be permitted to be done, especially when it would be against the policy of the State. The curtailment of the deputation would, therefore, be fully justified.

3. The writ petition, therefore, stands dismissed in limine. This Court is conscious of the fact that similar writ petitions are pending before this Court. However, the ground for dismissing the present writ petition is delay on the part of the petitioner in approaching this Court to impugn the order dated 2.12.2013, Annexure P-3.