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**SooperKanoon Citation : [sooperkanoon.com/1132206](http://sooperkanoon.com/1132206)**

**Court : Punjab and Haryana**

**Decided On : Mar-06-2014**

**Appellant : Was thereafter in 1990 That She Selected for the Post of Technical**

**Respondent : Panjab University and Another**

**Judgement :**

CWP No.2455 of 1993 1 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH Civil Writ Petition No.2455 of 1993(O&M) Date of Decision: March 6, 2014.

MRS.Kusum Harjai .....PETITIONER(s) Versus Panjab University and another .....RESPONDENT (s) CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH Present: None.

\*\*\*\*\* JASWANT SINGH, J.(Oral) Petitioner is stated to have worked as Technical Assistant (Grade- II) in the Department of Microbiology, Panjab University, Chandigarh and is seeking the quashing of order dated 27.01.1993 (Annexure P12) whereby she was reverted to her substantive post of Senior Technician on the ground that she did not fulfill the prescribed criteria of five years experience in a specific line at that time.

Further challenge is to the action of respondent -Panjab University to re-advertise the said post.

This Court vide order dated 12.03.1993, stayed the operation of the impugned order while issuing the notice of motion.

The order reads as under:- Contends that the petitioner has been working in the department of Microbiology, Panjab University, since 1984, as Senior Technician, on which post she was made permanent in 1985.

It Singh Omkar 2014.03.10 13:47 I attest to the accuracy and integrity of this document Chandigarh CWP No.2455 of 1993 2 was thereafter in 1990 that she selected for the post of Technical Assistant (Grade II) and since then she has been working as such.

On these premises, her reversion by the impugned decision (Annx.P.12) on the ground that she did not possess five years experience at the time of selection is neither factually nor legally in order.

Notice of motion for 30th April, 1993.

In the meantime, operation of the impugned order shall remain stayed, and resultantly, the petitioner shall be allowed to continue to work as Technical Assistant (Grade II).

Subsequently, the petition was admitted vide order dated 07.05.1993 and the stay order was ordered to continue.

It is evident from the facts narrated above, the petitioner continued to work on the post of Technical Assistant (Grade-II) all this while since the year 1993.

Thus, the basis for reversion of petitioner that she did not possess the requisite five years experience also stands negated in the light of conceded position that she has subsequently acquired the said experience while permitted to continue on the post pursuant to the interim orders passed by this Court.

The reversion of the petitioner from the post of Technical Assistant (Grade-II).therefore, would not liable to be sustained.

Since the last two dates of hearing none has appeared on behalf of either of the parties.

Position is the same today.

Dismissed in default.

( JASWANT SINGH ) March 6, 2014.

JUDGE om Singh Omkar 2014.03.10 13:47 I attest to the accuracy and integrity of this document Chandigarh

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