

(2020) 06 SHI CK 0305
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 756 Of 2020

Col. R.C. Dhulia (Retd.)

APPELLANT

Vs

Union Of India And Others

RESPONDENT

Date of Decision : 10-06-2020

Acts Referred:

Citation : (2020) 06 SHI CK 0305

Hon'ble Judges : Tarlok Singh Chauhan, J; Jyotsna Rewal Dua, J

Bench : Division Bench

Advocate : Lovneesh Kanwar, Rajesh Kumar Sharma

Final Decision : Disposed Of

Judgement

Tarlok Singh Chauhan, J

1. On 17.02.2020, this Court had passed the following order:-

"Heard. Issue notice. Mr. Rajesh Sharma, learned Assistant Solicitor General of India, appears and waives service of notice on behalf of the respondents.

Because allegations against the petitioner pertain to a contract, which had already expired in 2019, as such, the same inquiry has been extended to the new contract, which is in force. Consequently, the petitioner has made out a prima facie case for stay. As such, Annexure P-16, dated 6th February, 2020, shall remain stayed till 24th February, 2020, on which date, it shall automatically expire and it is for the appropriate Bench to consider the matter.

List on 24th February, 2020, before appropriate Bench."

2. On 24.02.2020, the interim order was extended, which reads as under:-

"Reply be filed within two weeks, as prayed. List on 19.3.2020.

The interim order to continue in the meanwhile."

3. It is not in dispute that even as per the aforesaid order, the petitioner can

continue in service only upto 11.06.2020 in terms of the contract. Therefore without going into the merits of the case, we deem it proper to dispose the present writ petition with a clear direction that the petitioner shall continue only upto 11.06.2020 in terms of the contract/agreement and not beyond that. Since the petitioner has already served with the respondents, therefore, he shall be entitled to the salary and allowances for this period as per the contract/agreement. Pending miscellaneous application(s), if any, shall also stand disposed of.

3. Before parting, we make it clear that this order passed in the peculiar facts and circumstances of the case, shall not be treated as a precedent in future.