



LPA-3014-2025 (O&M)

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

118-2

LPA-3014-2025 (O&M)

Date of decision : 16.10.2025

Vaish Education Society and another

... Appellants

Versus

Rajesh Kumar Sharma and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Lokesh Sharma, Advocate for the appellants.

Anupinder Singh Grewal, J. (Oral)

CM-7544-LPA-2025

This is an application seeking condonation of delay of 111 days in preferring the appeal.

Heard. For the reasons stated in the application, same is allowed and delay of 111 days in preferring the appeal is condoned.

Main case

Learned counsel for the appellants submits that he is confining the prayer in this appeal to grant of one month's time to implement the impugned order.

2. Heard.

3. The appellants have impugned the judgment of the Single Bench dated 21.05.2025, whereby the writ petition preferred by respondent No.1 was allowed in terms of the judgment dated 02.04.2025, passed in CWP-22364-2020 titled *Sita Devi Vs. Vaish Education Society and another*. That judgment was



challenged in LPA-1901-2025 titled ***Vaish Education Society and another Vs. Sita Devi and another***, which was dismissed by this Court vide judgment dated 04.09.2025 and it was held as under:-

“ 3. *Learned counsel for the appellant(s) submits that the termination of the respondent(s) was in consonance with law, as her services were no longer required as there were not enough students in the appellant(s)-Institution. He submits that the Single Bench has erroneously relied upon the judgment in CWP-20416-2017 although, the respondent(s) therein were working on other posts including those of Malis, Sanitary Supervisory etc., whereas the respondent(s) herein were working as Peons and Lab Attendants, and there is no requirement of Peons and Lab Attendants with the appellant(s)-Education Society.*

4. *Heard.*

5. *The appellant(s) is stated to be an Educational Society and is running a College of Engineering. It had terminated the services of some of its employees, which include the present respondent(s), who are four in number. The respondent(s) had challenged her termination by raising an industrial dispute. The Labour Court had declined her claim. The order of the Labour court was impugned by the respondent(s) by preferring the writ petition. The Single Bench had allowed the writ petition on the ground that in similar case of termination of 9 other employees by the appellant(s), the award of the Labour Court had been passed holding their termination to be illegal. The writ petition(s) preferred by the appellant(s) impugning that award one of which was CWP-20416-2017, had been dismissed by this Court but the award of the Labour Court was modified to the extent that the employees were directed to be reinstated in service but the back wages were reduced to 50% instead of full back wages as had been awarded by the Labour Court.*

6. *Indubitably, the respondent(s) herein, who are 4 in number and the other 9 employees who were reinstated in service, were terminated at the same time by the appellant(s) and all had been working on various Class-III and Class-IV posts. The appellant(s) did not challenge the judgment of the Single Bench dated 18.04.2024 in CWP-20416-2017 and it has attained finality. As a matter of fact, the appellant(s) had also made a concession before the Court in CWP-20416-2017 that they are willing to take the respondent(s) therein back in service. However, the appellant(s) is not according similar treatment to the respondent(s) herein, although, it is enjoined on the employer to treat the employees, who are similarly situated, similarly.*



7. *In view of the afore-noted facts and circumstances, we do not find any illegality in the judgment of the Single Bench, whereby the writ petition has been allowed on the ground that the respondent(s) herein would be entitled to the same treatment as the respondent(s) in CWP-20416-2017, which has attained finality. Consequently, the Letters Patent Appeal being devoid of any merit stands dismissed.*"

(emphasis supplied)

4. Learned counsel for the appellant has been unable to distinguish the facts of the present appeal from that of *Sita Devi's case (supra)*. In view of the above, we do not find any manifest error in the judgment of the Single Bench, warranting interference by this Court. However, the request of the appellants for grant of only one month's time to implement the judgment appears to be reasonable.

5. Consequently, the Letters Patent Appeal stands disposed of with a direction that the appellants shall implement the judgment of the Single Bench within a period of one month. All other directions issued in the judgment of the Single Bench shall remain the same.

6. All pending miscellaneous application(s), if any, shall also stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

16.10.2025
Sapna

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