

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

C.W.P. No.13575 of 2015

Date of Decision : 10.07.2015

Sh. Keshav Kumar

..... Petitioner

Versus

State University of Performing and Visual Arts, Rohtak and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. S. S. Salar, Advocate
for the petitioner.

Mr. Ashwani Talwar, Advocate
for the caveators-respondents.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

By this petition the petitioner has challenged the order dated
03.07.2015 terminating his services.

Learned counsel of the caveators has shown the original record
to this Court whereby it has transpired that the impugned order has been
passed on the direction of the Vice-Chancellor and only been issued by the
Registrar.

In this view of the matter, I proposed to learned counsel for the
petitioner whether under Statute 26 of the University he would consider to

file an appeal before the Executive Council against the decision of the Vice Chancellor. Learned counsel for the petitioner has stated that as per his tentative information the appeal can be filed only against an order which has been passed after regular inquiry but in this case the services of the petitioner has been terminated without any inquiry.

Learned counsel for the caveators on the other hand has argued that the petitioner would be at liberty to take all these pleas in the appeal because the provision of appeal is not limited only to cases where an order has been passed after inquiry but as is clear from a perusal thereof, is provided against any penalty imposed by the Vice-Chancellor.

Learned counsel for the petitioner has further stated that although there is no provision of any period for limitation but his appeal should not be barred by delay. The learned counsel for the caveator also agrees that in case the petitioner files an appeal within 15 days from the date of receipt of a certified copy of this order, the same shall not be rejected on the ground of any alleged delay. Learned counsel for the petitioner has agreed to this also.

In the circumstances, the petition stands disposed of in the above terms.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

July 10, 2015

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**(AJAY TEWARI)
JUDGE**