

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Letters Patent Appeal No.120 of 2015 (O&M)
DATE OF DECISION: 26.02.2015

Sukhwinder Kaur Saroya

....Appellant

versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR.JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Harinder Sharma, Advocate for the appellant
..

S.J. VAZIFDAR, ACTING CHIEF JUSTICE (Oral) :

This is an appeal against the order of the learned single Judge dated 21.07.2014 disposing off the petition as infructuous.

2. The appellant filed the petition for a writ of quo warranto declaring appointment of respondent No.3 as a Chairman of respondent No.2 - Punjab School Education Board as illegal, null and void. Respondent No.3 had relinquished charge on 01.06.2012. The writ petition was, therefore, rightly disposed of as infructuous.

3. The appellant, however, contends that she still seeks a declaration that his appointment was illegal for that would assist her in contending that the departmental proceedings initiated by four charge-sheets issued by respondent No.3 would be null and void.

It is open to the appellant to raise this contention in appropriate proceedings including in the departmental enquiry, if any. Dismissal of writ petition as infructuous would not prevent her from doing so. It is obvious from the impugned order and from this order that the merits of this contention have not been considered.

4. The appeal is accordingly disposed of.

As we have disposed off the main appeal itself, the delay in filing the appeal stands condoned.

**(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE**

26.02.2015
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**(AUGUSTINE GEORGE MASIH)
JUDGE**