

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA No. 1854 of 2014 (O/M)
Date of decision : 1.10.2015

S.S.M. College, Dinanagar and another Appellants

Versus

Kamal Kumar Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Vikas Bahl, Senior Advocate, with,
Ms. Balpreet Sidhu, Advocate, for the appellants.

Mr. Ajit Pal Singh Rehan, Advocate,
for caveator-respondent.

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

-. -

-. -

KULDIP SINGH, J. (ORAL)

Impugned in the present regular second appeal is judgment and decree dated 6.11.2013, passed by the learned Additional District Judge, Gurdaspur, whereby while affirming the findings of the lower Court, the appeal was dismissed. The learned Civil Judge (Junior Division), Gurdaspur, vide judgment and decree dated 13.3.2012, had partly decreed the suit and the defendants/present appellants were directed to re-consider the case

RSA No. 1854 of 2014 (O/M)

-2-

after giving due opportunity to the plaintiff and till then the plaintiff is deemed to be in service. The defendants were at liberty to comply with the principle of natural justice by issuing notice to the plaintiff to explain his position and pass an appropriate speaking order after giving further opportunity.

I have heard the learned senior counsel for the appellants, learned counsel for caveator-respondent and have also carefully gone through the impugned judgments of both the Courts below.

In this case, the period of employment is about 15 years. It was specifically alleged that the plaintiff is not allowed to mark his presence, which amounts to oral termination. The findings of facts have been recorded by both the Courts below. No substantial question of law arises in the present appeal. Hence, the present appeal is dismissed.

(KULDIP SINGH)
JUDGE

1.10.2015
sjks