

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Case No. : C. W. P.No. 15973 of 2004

Date of Decision : May 09, 2016

Dr. Paramjeet Kaur Sharma Petitioner
vs.
State of Haryana and others Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

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To be referred to Reporters or not ?

Whether the judgment should be reported in the digest ?

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Present : Mr. J. S. Maanipur, Advocate
for the petitioner.

Mr. Harish Rathee, Senior DAG, Haryana.

Mr. S. R. Hooda, Advocate
for respondent no. 4.

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DEEPAK SIBAL, J. :

The petitioner, while serving as Principal, Government Girls Senior Secondary Model School, Ambala City, Haryana, was conveyed adverse remarks with regard to her performance as a Principal, against which, she filed a detailed representation dated 25.02.2002 before respondent no. 2 – the Director, Secondary Education, Haryana, which was rejected through the impugned order dated 19.07.2004, a perusal of which shows that the same is bereft of any reason. None of the issues raised by the petitioner in her representation have been considered and the same has been

rejected by simply stating as under :-

“With reference to the subject noted above.

*In this matter the representation dated 25.2.03
sent by you is hereby rejected after
consideration.”*

The representation of the petitioner filed by her against conveying of adverse remarks should have been considered and decided by passing a speaking order. As the same has not been done, the impugned order dated 19.07.2004 (Annexure P-6) is ordered to be quashed.

Respondent no. 2 is directed to consider and take a decision on the representation filed by the petitioner against the adverse remarks conveyed to her through letter dated 16.01.2002 (Annexure P-4), by passing a speaking order thereupon expeditiously, but not later than four months from the date of receipt of a certified copy of this order after granting opportunity of hearing to the petitioner.

Needless to add that in case the final order to be passed in the case of the petitioner is adverse to her rights, she would be at liberty to challenge the same in accordance with law.

The writ petition stands disposed of in the aforesaid terms.

**(DEEPAK SIBAL)
JUDGE**

May 09, 2016
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