

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-12320-2014 (O&M)
Date of decision: 19.12.2016

Tejinder Singh

.....Petitioner

versus

Central Board Secondary Education and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Ms.Jyotika, Advocate for
Mr.H.P.S. Ishar, Advocate for the petitioner
Mr.Prateek Pandit, Advocate for the respondent No.3

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh, J. (Oral)

Petitioner who was appointed as P.G.T. (Geography) in MGN Public School – respondent no.2 joined the service on 12.1.2005. His services were confirmed w.e.f. 14.1.2006 vide letter dated 28.12.2005. Petitioner submitted resignation on 02.5.2012 by giving three months notice. However, he had requested that he may be relieved earlier. He was accordingly relieved on 14.5.2012. On his request, three months salary was adjusted from the security. It comes out that during pendency of the petitioner arrears have been paid. Now, the dispute is regarding adjustment of three months salary from the security.

I have heard learned counsel for the parties and have also carefully gone through the file.

Petitioner relies appointment letter Annexure P1, wherein one month's notice was required to be submitted. However, respondent has

relied upon agreement Annexure R2/1, which was executed at the time of confirmation of the petitioner under which three months notice was required to be given. Even the petitioner himself has given three months notice. Since, the petitioner was relieved earlier, the management was justified in adjusting three months salary from the security. To that extent, the claim of the petitioner is declined. Since, the remaining payment has been released to the petitioner, as such, the remaining claim of the petitioner stands satisfied.

The petition is disposed of accordingly.

19.12.2016
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:
Whether Reportable:

Yes
No