

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.22020 of 2016

Date of Decision:-30.11.2016

Randhir Singh.

.....Petitioner.

Versus

Managing Committee Khalsa Sr. Sec. School & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Dinesh Nagar, Advocate for Petitioners.

Mr. H.S. Grewal, Advocate for respondent no.1.

Mz. Puneet Kaur Sekhon, Additional Advocate General,
Punjab.

JASWANT SINGH, J.(ORAL)

The petitioner was appointed as a JBT Teacher by the Management of Khalsa Senior Secondary School, Roopnagar-respondent no.1 on 31.07.2001 against the grant-in-aid post. A complaint was received that the B.Ed degree obtained through Distant Education Mode from M.D. University Rohtak had never been submitted by the petitioner, therefore, his appointment was bad. In view of the said complaint the grant-in-aid against the post held by the petitioner was stopped. The stand of the petitioner was that his B.Ed degree obtained from M.D. University, Rohtak in the year 1999 stood deposited with the Management of Khalsa Senior Secondary School, Roopnagar, however, one of the official Jaswinder Singh Sohi has misplaced the same leading to the registration of FIR against that person. Be that as it may the petitioner is stated to have undertaken the B.Ed Course afresh and obtained degree from Jammu University in the year 2007.

Since the grant-in-aid was not being released qua the post held

by the petitioner, the matter was taken before the Education Tribunal. During the pendency, the services of the petitioner were terminated vide order dated 01.07.2016 on the allegations of producing fake degrees/no degree. Educational Tribunal vide order dated 12.7.2016 has directed the management of the school to conduct an inquiry as per Rules as the order of termination was withdrawn by the Management itself.

The grievance of the petitioner is that vide order dated 12.07.2016 (P-7) the learned Tribunal has held that the petitioner shall not be entitled to resume his employment, therefore, during the pendency of the inquiry he atleast has to be treated as on suspension.

Learned Counsel for the contesting respondent no.1 concedes that during the suspension the petitioner has to be and will be treated as on suspension subject to final determination at the conclusion of the pending disciplinary proceedings.

In response, learned Counsel for the petitioner concedes that if the petitioner is to be treated as on suspension, nothing more survives for adjudication in the present petition.

In view of the above agreed stand, present petition is hereby disposed of as infructuous. However, the petitioner shall be treated as on suspension from the date of order passed by the tribunal and admissible allowances released.

(JASWANT SINGH)
JUDGE

November 30, 2016
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>