

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 24326 of 2015

Date of decision: 28.4.2016

Manjeet Singh

... Petitioner

Versus

State of Punjab & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Tarun Vir Singh Lehal, Advocate,
for the petitioner.

Mr. Nikhil K. Chopra, Addl.A.G., Punjab.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

1. On November 19, 2016, this Court entertained the petition
and passed the following interim order:-

“From what has been portrayed by the petitioner before this Court it appears that he is being hounded and has been transferred to a far away school at the behest of vested interests. In the school at Ratta Abdal, the petitioner made a complaint against the Panchayat holding it responsible for illicit felling of trees growing in the school compound and subsequently depositing the sale proceeds in a sum of Rs.90,000/- in the school funds when the matter became public. It appears that this case deserves to be examined personally at the level of Secretary Education, Government of Punjab, who may not have been apprised of the situation, and accordingly he would look into the matter and inform this Court

whether the petitioner has been treated shabbily and has been victimized for no fault of his except that he blew the whistle and landed himself in trouble.

Notice of motion, returnable by 18.1.2016.

On the asking of Court, Mr. Inqulab Nagpal, AAG, Punjab, accepts notice on behalf of respondents No.1 to 7 and waives service on them. Mr. Lehal to supply eight sets of paper book to Mr. Nagpal during the course of the day.

Notice be issued to respondent Nos.8 & 9 through process dasti as well against whom malafides have been alleged.

Notice re: interim directions as well.

Mr. Lehal submits that the petitioner's wife is a Government servant and teaches at Government High School, Mirza Jaan. This is at about 15 km. distant from the school where the petitioner taught as a Science Master and has been transferred to Government Senior Secondary School, Attari. Mr. Lehal, on instructions from the petitioner, who is present in Court, submits that the petitioner was relieved on November 6, 2015 vide Annexure P-13. The relieving report has been accepted despite the fact that no one is posted in place of the petitioner to teach the Science subject. There are stated to be two posts of Science Master in the school leaving both the posts unmanned, which is a serious matter and is contrary to public interest and may seriously jeopardize the studies of the students pursuing science.

In the meanwhile, the operation of the impugned order dated November 6, 2015

(Annexure P-12) shall remain stayed till further orders. The petitioner would be allowed to rejoin duty and to teach the subject for the present, and to await the final outcome of the writ petition.”

2. Today Mr. Nikhil K. Chopra has filed short affidavit of Balbir Singh Dhol, Director Public Instructions(SE) Punjab, Mohali in Court in which the order dated 5.2.2016 Annexure R-/2 is annexed cancelling the impugned order dated 6.11.2015 with immediate effect. The same is taken on record.

3. The grievance of the petitioner stands redressed with the passing of the said order. The petition has been rendered infructuous and is dismissed as such.

(RAJIV NARAIN RAINA)
JUDGE

22.4.2016
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