

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

CWP No.22781 of 2016

Date of Decision:-23.01.2017

Krishna Devi.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Ramnik Singh, Advocate for
Mr. C.K. Singla, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner was appointed as C.P.Ed teacher in the year 1980 and on her acquisition of Bachelors Degree in Arts, she was promoted as D.P.E. During the scrutiny of documents Bachelors Degree in Arts of the petitioner was found to be false. Notice was served upon the petitioner and she was terminated vide order dated 20.02.2006.

Petitioner preferred a Civil Suit for declaration that the order dated 20.02.2006 (P-3) is illegal, null, void and arbitrary which was partly decreed vide judgment and decree dated 02.08.2011 to the effect that proper inquiry was not conducted against the petitioner and fresh inquiry was ordered to be conducted. Petitioner filed an appeal against the said judgment and decree and the learned lower Appellate Court vide judgment and decree dated 19.03.2013 allowed the same and respondents were

directed to reinstate the petitioner-Krishna Devi with continuity of service along with full back wages with interest @ 6% per annum from the date of termination until the period she is reinstated and liberty was also granted to the department to conduct a fresh inquiry regarding the allegations of forgery against the petitioner in view of the observations of the learned trial Court.

Fresh inquiry was conducted wherein the respondent no.1 has set aside the departmental inquiry report dated 10.03.2014 but maintained the order dated 18.05.2015 dismissing the petitioner from service vide order dated 09.06.2015 (P-1) in accordance with Rule 5(ix) of Punjab Civil Services (Punishment and Appeal) Rules, 1970, which was in complete violation of the orders passed both the courts below. Hence the present petition challenging the order dated 09.06.2015 (P-1).

At the time of hearing, learned Counsel for the petitioner wishes to withdraw the present petition as the orders passed by both the Courts below have been upheld in RSA in favour of the petitioner.

Dismissed as withdrawn.

(JASWANT SINGH)
JUDGE

January 23, 2017
Vinay

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No