

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

204

CWP No.5513 of 2013 (O&M)

Date of Decision: September 18, 2017

Rimpa Mishra

....Petitioner

vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. A.P. Bhandari, Advocate for the petitioner.

Mr. Avinit Avasthi, AAG, Punjab.

Mr. Anupam Singla, Advocate for respondent No.4.

TEJINDER SINGH DHINDSA, J. (Oral)

Pleadings on record would indicate that the petitioner was engaged as a Special Educator i.e. Inclusive Education Resource Teacher (I.E.R.T.) under the Sarva Shiksha Abhiyan in the year 2008.

Challenge in the instant petition is to a notice dated 07.12.2012 (Annexure P-8) purportedly issued by the respondent-authority and served upon the petitioner contemplating termination of her services.

Learned counsel appearing for the petitioner would vehemently urge that such notice was never served upon the petitioner as it had been issued on a wrong address.

Be that as it may, Mr. Anupam Singla, learned counsel appearing for the contesting respondent No.4, would take a very fair stand and states that in case the petitioner submits a reply to the

impugned notice dated 07.12.2012 (Annexure P-8) within a period of four weeks from today, the competent authority would consider the reply and thereafter take a final decision in the matter in accordance with law.

Such course of action is acceptable to the counsel appearing for the petitioner.

In the light of such consensus having been arrived at, the present petition is disposed of in terms of granting liberty to the petitioner to file a reply to the impugned notice dated 07.12.2012 (Annexure P-8) within a period of four weeks from today. In the eventuality of any such reply being filed, the competent authority would take a final decision in the matter within a further period of four weeks and by passing a well reasoned speaking order.

An opportunity of personal hearing, if granted, would be appreciated.

It would also be open for the respondent-authority/competent authority to take a decision with regard to intervening period i.e. from the date of issuance of the show cause notice i.e. 07.12.2012 and till the date of passing of the final order as concededly the petitioner has not discharged her duties during such period.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

18.09.2017
anju rani

Whether speaking/reasoned : **Yes/No**
Whether reportable : **Yes/No**