

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.5374 of 2014
Date of Decision:-23.03.2017.

Karambir

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: None for the petitioner.

Mr. Hitesh Pandit, Additional A.G. Haryana.

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, short question for consideration is whether Annexure P-3 order of dismissal of the petitioner dated 14.8.2012 is after due notice to the petitioner or not. The petitioner is stated to have been appointed on part-time basis on DC rate. Order of dismissal dated 14.8.2012 reads as under:-

“Subject: Dismissal of Service.

As per the above stated subject your services are hereby dismissed for causing indiscipline in the school and for misbehaving with the staff and for causing dis-arrangement in the Government High School, Village Nidani, District Jind. So you are to hereby informed that this order shall be in force with immediate effect.”

Reading of the order of dismissal it is evident that it attaches stigma against the petitioner. Moreover, reasons assigned for dismissal is

“indiscipline in the school and for misbehaving with the staff and for causing dis-arrangement in the Government High School”. These are conclusive and not supported by any reasons. Moreover, when an employee irrespective whether *ad hoc* or permanent is to be dismissed or removed from service on the ground of misconduct, minimum requirement of notice is also not followed in the present case. Therefore, Annexure P-3 is set aside. The respondents are directed to comply principle of natural justice before proceeding further in the matter. The petitioner is entitled for reinstatement and consequential benefits from 14.8.2012 till date of reinstatement. The above exercise shall be completed by the concerned respondent within a period of four months from today.

Petition stands allowed.

(P.B. BAJANTHRI)
JUDGE

March 23, 2017.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.