

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

CWP No.18222 of 2018

Date of Decision:-07.08.2018

Manvinder Singh.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Deepinder Singh Patwalia, Senior Advocate assisted by
Mr. Kannan Malik, Advocate for the Petitioner.

Mrs. Anu Chatrath Kapoor, Additional Advocate General,
Punjab for respondent no.1.

JASWANT SINGH, J.(ORAL)

Petitioner is serving as a Subject Expert (Computer) in the office of Punjab School Education Board. By filing the present petition, he had laid challenge to the order of suspension dated 4.7.06.2018 (**P-19**).

On the previous date of hearing i.e. 25.7.2018 following order was passed:-

*“ Petitioner (Manvinder Singh) was appointed on regular basis to the post of Subject Expert (Computer) in the Office of Punjab School Education Board (in short 'the Board'), vide appointment letter dated 12.12.2011 (**Annexure P-6**) in view of his selection pursuant to the advertisement dated 15.10.2011 (**Annexure P-1**). The selection and appointment of the petitioner was approved by the Board in its meeting held on 08.12.2011 (**Annexure P-5**).*

*The grievance of the petitioner is that now vide impugned order dated 4/7.06.2018 (**Annexure P-19**), he has been placed on suspension on the following grounds:-*

- i. The qualifications of Subject Expert (Computer) were not approved by the Regulation Committee and the Board.*
- ii. The Screening Committee and the Establishment Committee had held the concerned eligible despite his experience related documents being incomplete in the application given by him.*
- iii. Despite change of qualifications of Subject Expert (Computer) in the year 2009, the advertisement, as per 2008, was given in the year 2011.*
*It is contended that the petitioner fulfilled the laid down qualifications, including the required experience, and his appointment was duly approved by the Board. By referring to **Annexure P-17** (at page No. 101 of the writ petition), i.e., noting of the Department, it is shown that the petitioner possessed professional experience of 5½ to 6 years in Computer Application in a Degree College. It is also contended that the qualifications in the advertisement, being not as per the revised qualifications, was not under the control of the petitioner. It is further urged that the petitioner fulfills even the revised qualifications as per the 2009 Rules.*

*Notice of motion for **07.08.2018**.*

*Notice **re:stay** also.*

***Dasti** as well.*

*To be taken up in **Urgent List**.*

Upon notice Mrs. Sukhwinder Kaur Saroya, Senior Legal Advisor, Punjab School Education Board has appeared on behalf of respondent nos.2 & 3 and states that petitioner has since been reinstated at his place of posting on 3.8.2018 thereby rendering the present writ petition infructuous.

In response, learned Senior Counsel representing the petitioner

separate remedy and the present petition has become infructuous.

In view of the above, present petition is hereby disposed of as infructuous.

(JASWANT SINGH)
JUDGE

August 07, 2018
Vinay

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