

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

**CWP No.20157 of 2018 (O&M)
Date of decision: 19.11.2018**

Gobind Kumar

...Petitioner

Versus

**District Judge-cum-Appellate/Educational Tribunal, Rohtak and
another**

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sandeep Singal, Advocate,
for the petitioner.

Ritu Bahri, J.

CM No.17355-CWP of 2018

Additional affidavit of the petitioner is taken on record.

Misc. application stands allowed accordingly.

CWP No.20157 of 2018

Petitioner is seeking quashing of the order dated 29.02.2016 (Annexure P-1) passed by respondent No.2, whereby his services have been terminated and judgment dated 04.04.2018 (Annexure P-4) passed by the District Judge-cum-Appellate/Education Tribunal, Rohtak, whereby appeal against the termination order has been dismissed.

Learned counsel for the petitioner has referred to the additional affidavit dated 15.11.2018 of the petitioner to show that he was appointed as Mathematics Teacher on 01.04.2015 on monthly salary of Rs.20,800/-, but was paid Rs.15,000/- per month only. It has been further stated in the affidavit that respondent No.2 has never issued any appointment letter to the

petitioner.

As per contents of the petition, services of the petitioner have been terminated on 29.02.2016 (Annexure P-1). At the most, he has worked on contract basis only for one year. A perusal of the impugned termination order dated 29.02.2016 (Annexure P-1) shows that he (petitioner) was warned against physical/corporal punishment verbally as well as in written, but there was no improvement, which showed his attitude of un-becoming of a teacher. Further, his method of teaching was poor. In view of the said fact, his services have been terminated.

In view of the terms of contract, the petitioner has no right to continue in service. Even, the Educational Tribunal has dismissed his appeal on 04.04.2018 (Annexure P-4) by observing that he was also imposed a fine of Rs.1000/- and was warned for future by the Principal. It is further observed that after termination order dated 29.02.2016 (Annexure P-1) was passed, the experience certificate was issued to the petitioner on 03.04.2016. The object of giving this certificate was that the petitioner should not suffer in future for employment. However, experience certificate in itself cannot be made a ground to set aside the termination order.

After hearing learned counsel for the petitioner and going through the contents of the writ petition, no ground of interference is made out.

No merits.

Dismissed.

19.11.2018
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No