

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

**CWP No. 33 of 2018 (O&M)  
Date of Decision: 23.01.2018**

The Managing Committee Nankana Sahib  
Public School, Ludhiana and another

..... Petitioners

**Versus**

Parminder Pal Kaur and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH**

Present: Dr. Puneet Kaur Sekhon, Advocate  
for the petitioners.

Mr. Puneet Jindal, Sr. Advocate, assisted by  
Ms. Neha Anand Mahajan, Advocate  
for the applicant-respondent No. 1.

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**JASWANT SINGH, J.**

1. The petitioner has filed present writ petition under Article 226 of the Constitution of India seeking quashing of order dated 22.09.2016 (**Annexure P-20**) passed by learned Education Tribunal, Punjab, Mohali, whereby respondent No. 1-Smt. Parminder Pal Kaur has been ordered to be reinstated with all consequential benefits relating to salary and back wages.

2. Facts in brief are that respondent No. 1-Smt. Parminder Pal Kaur joined service as a regular English Teacher (Junior) on 20.04.1992 at Nankana Sahib Public School, Ludhiana, which is managed and controlled by Managing Committee constituted by Nankana Sahib Education Trust. The respondent was promoted as Trained Graduate Teacher (TGT) in September 2012. Respondent No. 1 (Parminder Pal Kaur) was served with a Show Cause Notice which ultimately culminated into termination of respondent vide order dated 13.12.2012. The respondent successfully

assailed said order dated 13.12.2012 before the Education Tribunal, Punjab, Mohali. The Tribunal vide order dated 22.09.2016 set aside termination order holding that an enquiry has to be conducted by Committee consisting of Secretary and two other members whereas in the present case enquiry was conducted by an Officer appointed by respondent No. 3 (Director of Education-SGPC). The Tribunal further ordered that the petitioner be reinstated with all consequential benefits relating to salary and back wages but with liberty to present petitioners to conduct fresh enquiry in accordance with law, within three months from the date of receipt of certified copy.

3. Counsel for the petitioners confined his argument to the extent of finding of the learned Tribunal that needful be done 'within three months from the date of receipt of certified copy of this order'. However, before filing present writ petition, petitioner passed a Resolution dated 10.08.2017 resolving that no enquiry in respect of old/previous alleged irregularities would be initiated, in case present respondent withdraws cases against the Principal-Harmeet Kaur. On 17.01.2018, the matter was adjourned to grant an opportunity to respondent No. 1/teacher to examine and consider accepting the contents of relevant Resolution dated 10.08.2017. Today, Mr. Puneet Jindal, Senior Advocate, appeared on behalf of the respondent No. 1/teacher and filed affidavit of respondent No. 1/teacher dated 23.01.2018, deposing that only one case has been filed against Smt. Harmeet Kaur/Principal and it would be got compounded/withdrawn in terms of Resolution dated 10.08.2017.

4. After having scrutinized record of the case and arguments of both the counsel, this Court finds that it would be in the fitness of things if petition is disposed off as infructuous because respondent/teacher has

agreed to withdraw criminal case filed against Principal-Smt. Harmeet Kaur and petitioner-Managing Committee has agreed not to re-enquire the matter on the basis of allegations/charges which culminated into termination of respondent No. 1/teacher. It would be apt to make it clear that the petitioner shall be reinstated with all consequential benefits relating to salary and back wages as ordered by learned Tribunal vide its order dated 22.09.2016. It is further directed that the petitioner shall clear outstanding dues of the respondent/teacher at the earliest preferably within a period of six months from the date of receipt of copy of this order.

Accordingly, the petition is **disposed of as infructuous**.

Since the main petition has been decided, therefore, no orders are required to be passed in the pending application(s), if any.

**January 23, 2018**  
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**( JASWANT SINGH )**  
**JUDGE**

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|----------------------------------|---------------|
| <i>Whether Speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |