

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

**Civil Writ Petition No. 7255 of 2018 (O&M)  
Date of Decision: 26.04.2018**

Balbir Singh

..... Petitioner

**Versus**

Punjab School Education Board, Sahibjada Ajit Singh Nagar  
(Mohali), Punjab and others

..... Respondents

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

Present: Mr. Manu K. Bhandari, Advocate  
for the petitioner.

Mr. Puneet Sharma, Advocate  
for the respondents-Punjab School Education Board.

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**JASWANT SINGH, J. (ORAL)**

Power of attorney, filed by the counsel for respondents-Punjab School Education Board, is taken on record.

Present writ petition has been filed by the petitioner assailing the order dated 05.01.2018 (**Annexure P-9**), whereby the punishment of reversion to the lower post of Clerk from the post of Senior Assistant has been inflicted upon conclusion of the disciplinary proceedings.

Notice of motion was issued only on the ground of lack of jurisdiction in passing the order dated 05.01.2018 (**P-9**), as it was urged that the competent authority being Chairman of the Punjab School Education Board (in short 'the Board'), however, the order dated 05.01.2018 (**P-9**) was alleged to have been passed by the Secretary of 'the Board'.

The respondent-Board through his counsel has shown the record, whereby it is apparent that the punishment order, in fact, has been passed by the Chairman, the competent authority, however, the same has

been issued by the Secretary of 'the Board' upon necessary instructions.

Faced with the aforesaid situation, counsel for the petitioner prays for permission to withdraw the present writ petition to enable his client to file the statutory appeal before the Appellate Authority within next two weeks, provided the respondents do not raise any objection of limitation.

Learned counsel for the respondent, upon instructions, does not oppose the aforesaid request.

In view of above, present petition is **dismissed as withdrawn.**

The petitioner is given liberty to file the appeal and in case the same is filed within next two weeks, the respondents shall not raise the question of limitation, which otherwise, in view of Section 14 of the Limitation Act, would be liable to be condoned.

**April 26, 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> |