

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

**CWP-6545-2019 (O&M)
Date of Decision:28.03.2019**

Gaganpreet Singh

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. S.K. Daaria, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

Challenge in the instant writ petition is to the order dated 19.05.2018 (Annexure P-1) issued by the Principal, Guru Tegh Bahadur College, Bhawanigarh and in terms of which the petitioner who was serving as a Sewadar has been relieved from duties.

Having heard counsel for the petitioner at length and having perused the pleadings on record, this Court is of the considered view that the petition raises questions of fact and as such, it would not be appropriate to go into the validity of the order in exercise of the writ jurisdiction under Article 226 of the Constitution of India.

It has been averred that the petitioner has joined as a Sewadar on 08.08.2011 in the respondent/College. The only document placed on record at Annexure P-2 is an accounts statement which at best reflects deposit of salary in the account of the petitioner from December, 2016 onwards.

Counsel having been called upon to substantiate his assertion as

regards the petitioner having served continuously on the post of Sewadar from the year 2011 to 2016, response is that the salary was being paid in cash.

Under such circumstances, evidence would have to be led for the petitioner to conclusively prove that he had served with the respondent/College on the post of Sewadar for the period 2011 to 2016.

Confronted with such a situation, counsel prays for withdrawal of the writ petition with liberty to the petitioner to avail of any other appropriate civil remedy as may be available to him in accordance with law.

Dismissed as withdrawn.

28.03.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |