

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

CWP No.35306 of 2019

Date of Decision : 05.12.2019

Sanjay Kumar

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

...

Present : Mr.Kamaljeet S.Mamrat, Advocate
for the petitioner.

...

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks a Mandamus directing the second respondent i.e. Director Public Instructions (Secondary Education) to pass a detailed speaking order on an appeal dated 20.11.2018 (Annexure P-1) that was preferred.

Counsel has been heard.

Petitioner was serving as a Chowkidar under a private but government aided school.

On 09.10.2018 petitioner was placed under suspension. He preferred an appeal against the order of suspension under Rule 19(i) of the Punjab Privately Managed Recognized School Employees (Security of Service), Rules, 1981. During the pendency of the appeal petitioner stand reinstated on 18.02.2019.

It is under such circumstances that the appeal preferred by the petitioner has been disposed of on 20.11.2019 (Annexure P-2) calling upon the Managing Committee of the School to take a

decision with regard to the suspension period as per applicable rules/regulations.

As against the narration and sequence of facts hereinabove there would be no occasion for this Court to direct the Appellate Authority to pass a detailed speaking order on the appeal that the petitioner had preferred against the order of suspension. It was during the pendency of the appeal that the petitioner was reinstated w.e.f. 18.02.2019. Clearly in terms thereof the suspension order ceased to operate. The only aspect as such that would survive is as to how the period that the petitioner had remained under suspension has to be treated. Precisely, such aspect has been dealt with by the Appellate Authority in terms of directing the Management of the School in question to take a final decision as to how the period of suspension is to be treated.

This Court does not find any infirmity in the order dated 20.11.2019 (Annexure P-2).

No intervention in the matter is called for.

Petition dismissed.

05.12.2019

dss

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned	Yes
Whether reportable	No