

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

CWP-3588-2021

Date of decision : 16.02.2021

MANJEET KAUR

... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Tribhuwan Singla, Advocate for
Ms. Ritu Punj, Advocate
for the petitioner.

Mr. Suveer Sheokhand, Additional AG, Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic COVID-19 situation and as per instructions.

The petitioner was serving on the post of Punjabi Mistress under the Punjab State Education Department.

Vide order dated 04.10.2020 (Annexure P-20) passed by the Office of Director Education Department (SE), Punjab, SAS Nagar, the major penalty of dismissal has been imposed upon the petitioner.

Instant writ petition has been filed assailing the enquiry report dated 23.09.2019 (Annexure P-18) as also the order of dismissal dated 04.10.2020 (Annexure P-20) which otherwise is based on the findings recorded in the enquiry proceedings.

During the course of hearing, Mr. Singla, learned counsel representing the petitioner makes a statement that he would not be

pressing the prayer as regards challenge to the enquiry report and the order of dismissal at this stage, but, would confine the scope of the instant petition as regards issuance of directions to the Appellate Authority to take a final decision on the appeal dated 07.12.2020 (Annexure P-22) that has been filed by the petitioner against the order of the dismissal.

Submission advanced by the counsel is found to be just and reasonable. After all the appeal preferred by the petitioner is towards availing of her statutory remedy under Rule 15 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970.

Advance copy of the petition already stood served upon the State of Punjab. Mr. Suveer Sheokhand, Additional AG, Punjab upon instructions from ADSA Kulwinder Kaur o/o DPI, SE, Punjab makes a statement that the appeal dated 07.12.2020 Annexure P-22 as also the application seeking condonation of delay, would be taken up by the Appellate Authority and a final decision thereupon would be taken within the period of three weeks from today.

Statement is accepted.

No further directions are required to be passed.

The instant petition is disposed off.

It is clarified that this Court has not examined the issue on merits.

February 16, 2021

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(TEJINDER SINGH DHINDSA)

JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable :YES/NO