

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(212)

CWP-17462-2020

Date of Decision: January 07, 2021

Kamal Kumar

.. Petitioner

Versus

Maharshi Dayanand University and another

.. Respondents

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. D.S. Patwalia, Sr. Advocate, with
Mr. Gaurav Rana, Advocate, for the petitioner.

Mr. Anurag Goyal, Advocate, for the respondents.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned Senior counsel appearing on behalf of the petitioner submits that though petitioner is a regular employee of respondent-University but he has been issued a show cause notice on 07.10.2020 (Annexure P-14) proposing his dismissal from service without holding a regular enquiry into the allegations as envisaged under rules governing service. Learned Senior counsel for the petitioner argues that no action can be taken against a regular employee without holding proper enquiry and proving misconduct in case, there is any allegation of misconduct or fraud including the allegation of getting appointment on the basis of an invalid degree against an employee.

Mr. Anurag Goyal, Advocate, appearing on behalf of the respondent-University has made a statement that after issuance of the show cause notice (Annexure P-14) and filing of the present writ petition, the University has reconsidered the matter and has decided that a proper enquiry will be held as envisaged under rules governing the service before

any action is taken against the petitioner in respect of the allegations as mentioned in the show cause notice. Learned counsel for the respondents further submits that no action will be taken against the petitioner on the basis of the show cause notice dated 07.10.2020 without holding the proper enquiry into the allegations alleged against the petitioner.

Learned Senior counsel for the petitioner submits that undertaking given by the learned counsel appearing on behalf of the University satisfy the grievance of the petitioner and he does not wish to press this petition any further.

In view of the above, the present petition is disposed of having been not pressed any further.

The respondents will be bound by their statement recorded above.

(HARSIMRAN SINGH SETHI)
JUDGE

January 07, 2021
harsha

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No