

229

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

**Civil Writ Petition No.22315 of 2020(O&M)
Date of decision: February 22, 2021**

The Managing Committee, Guru Nanak College

.....Petitioner

Versus

Panjab University and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Puneet Gupta, Advocate for the petitioner.

Mr. Subhash Ahuja, Advocate for respondent No.1.

Mr. Deepak Gupta, Advocate for respondent No.2.

MAHABIR SINGH SINDHU, J

CM-2507-CWP-2021

Application for exemption from filing certified copies of the Annexures and permission for filing photocopies/typed copies of the Annexures, is allowed subject to all just exceptions.

CM-2510-CWP-2021

Application for placing on record the affidavit along with Annexures.

For the reasons stated in the application, the same is allowed. Affidavit along with Annexures is taken on record subject to all just exceptions.

CWP-22315-2020(O&M)

Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Certiorari for quashing of impugned letter dated 14.12.2020 (P-10),

whereby the petitioner college was directed to revoke the termination of respondent No.2 vide letter dated 01.12.2020 (P-9).

This Court, while issuing notice of motion on 22.12.2020, passed the following order:-

“ *Inter-alia* contends that order impugned dated 14.12.2020 (P-10) passed by respondent University is without jurisdiction.

Notice of motion.

Notice re: stay as well.

Mr. Subhash Ahuja, Advocate accepts notice on behalf of respondent No.1 and seeks time to have instructions in the matter.

On his request, adjourned to 23.12.2020.

Petitioner would be at liberty to serve respondent No.2 through any legally permissible mode as prescribed under High Court Rules and Orders.”

Today, learned counsel for respondent No.1 has produced a copy of letter dated 19.02.2021 received from Panjab University, which is taken on record and marked as 'X'. Relevant part of the above letter reads as under:-

“This is to inform you that since letter No. Misc/A-2/6021-28 dated 14.12.2020 of the University has been complied with by College Management and also a letter dated 11.02.2021 received from Dr. Jaipreet Singh, Assistant Professor in Punjabi, Guru Nanak College, Ferozepur for withdrawing his complaint dated 02.12.2020 has been received and he has already been allowed to resume his duties on 23.01.2021, therefore, in the light of the same, the letter No.Misc./A-2/147 dated 08.01.2021 issued by the University stands withdrawn.”

Perusal of the communication dated 19.02.2021 clearly reveals that

impugned letter dated 14.12.2020 has been complied with by the petitioner and a letter dated 11.02.2021 has also been received from respondent No.2, withdrawing his complaint dated 02.12.2020. It is also necessary to mention that respondent No.2 has been allowed to resume his duties by the petitioner-college w.e.f. 23.01.2021. As a result thereof, communication dated 08.01.2021 (P-13) issued by the University has also been withdrawn.

In view of the above, learned counsel for the petitioner submits that present petition is rendered infructuous and the same be disposed off as such.

Ordered accordingly.

Clarified that point of jurisdiction raised on 22.12.2020 shall remain open to be decided in an appropriate case, if the occasion so arises.

(MAHABIR SINGH SINDHU)
JUDGE

February 22, 2021

Sachin M.

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No