

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(202)

CWP-15259-2022

Date of Decision : November 17, 2022

Ravinder Kumar

.. Petitioner

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Anurag Goyal, Advocate, for the petitioner.

Mr. Rajesh Gaur, Additional Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, the challenge is to the order of reversion from the post of PGT English to the post of TGT English as ordered vide order dated 01.07.2022, a copy of which has been appended as Annexure P-6 with this petition.

While issuing notice of motion, the operation of the said order was stayed and the petitioner continued working on the post of PGT English.

Learned counsel for the petitioner submits that the reversion of the petitioner was ordered on the basis of a charge sheet which was issued against the petitioner in February 2022, which charge sheet has already been withdrawn by the respondents meaning thereby that the ground given for the reversion does not exist any further, hence, the order of reversion has been

rendered infructuous keeping in view the subsequent events which have come on record.

Learned counsel for the respondents does not deny that the charge sheet dated 02.02.2022 has been withdrawn, which was the basis of the reversion of the petitioner from the post of PGT English to TGT English, which ground does not exist any further as of now.

Learned counsel for the respondents has not been able to dispute that the charge sheet has already been dropped on 21.09.2022 by the orders of Additional Director Administration working in the office of Director Elementary Education Haryana.

Keeping in view the above facts, once the basis of the impugned order of reversion no longer exist and the charge sheet has already been dropped, the impugned order dated 01.07.2022 (Annexure P-6) cannot be sustained any further in the eyes of law and the same is accordingly quashed.

Learned counsel for the petitioner submits that the petitioner has not been paid the salary of the post of PGT English starting from the date of passing of the impugned order dated 01.07.2022 till 28.07.2022 when the petitioner joined again in pursuance to the interim order dated 18.07.2022. Learned counsel for the petitioner further submits that even as of today, the salary for the period from 01.07.2022 till 28.07.2022 has not been extended to the petitioner in the cadre of PGT, hence, the respondents be directed to release the same forthwith.

Learned counsel for the respondents pleads the ignorance about the said fact and submits that in case the salary for the period in question as recorded hereinbefore, has not been released to the petitioner, the same will

be released to the petitioner in accordance with law within a period of four weeks from the date the said order is brought to the notice of the authorities concerned.

The present writ petition is disposed of in above terms.

November 17, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No