

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

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CWP-15830-2022

Date of decision : 21.11.2022

Harish Kumar

... Petitioner

Versus

Presiding Officer Education Tribunal District and Sessions Judge Panipat and
others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Vivek Sakhun, Advocate for the petitioner.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the orders dated 31.05.2022 (Annexures P-11 and P-12) whereby the appeals filed against the order dated 27.10.2016 (Annexure P-9) i.e. the order of suspension of his services as well as the order dated 18.09.2017 and notice dated 15.11.2017 issued by respondent No.1, have been dismissed.

Learned counsel for the petitioner submits that the termination of the petitioner's services is disproportionate to the alleged charges against him. The petitioner has an unblemished service of 15 years. He did not obtain any advantage of the degree of Ph.D. which he is stated to have obtained from an un-recognized University. It is alleged that the bus did not pick the girl student as she had come late and her parents had thereafter lodged a complaint against the petitioner. The other charges are also trivial in nature and would not justify the termination of his services.

Heard.

The petitioner had been promoted as Assistant Professor on the condition that he would obtain Ph.D. within a period of seven years from the

date of his appointment. The degree which he had obtained from CMJ University, Meghalaya was not recognized by the UGC. The charges against the petitioner include misbehavior with a girl student, passing derogatory remarks and insubordination. An enquiry headed by a retired Judge of this Court was conducted and only after, he was found guilty of the charges, his services were terminated. The petitioner had been afforded adequate opportunity to present his case in the enquiry proceedings. The Enquiry Officer had opined that the petitioner was of aggressive and defiant nature and never acted with sincerity, dedication and devotion. It was also observed in the enquiry report that the admission rate in the department of Information Technology had reduced during the session 2014-15 and after the petitioner had left the Institute, it had enhanced which reflected the performance of the delinquent official.

In view of the above, I do not find any infirmity in the impugned order dismissing the appeal of the petitioner against his suspension and the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

November 21, 2022

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No