

In the High Court of Punjab and Haryana at Chandigarh

137

CWP-16262-2022 (O & M)

Date of Decision: July 28, 2022

SANJEEV MAHAJAN AND ORS

....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

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

Mr. T.P.S. Chawla, DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioners have impugned the letters/orders of revised pay fixation dated 14.09.2021 (Annexures P-5 to P-8) whereby they have been reverted from the post of Associate Professor to Assistant Professor and their pay have been reduced.

Learned counsel for the petitioners submits that the petitioners have been reverted from the post of Associate Professor to Assistant Professor and their pay scale have been reduced without affording an opportunity of hearing. He also submits that AICTE has issued a clarification on 24.01.2022, which would indicate that the petitioners were fully eligible to work as Associate Professors.

Issue notice to the respondents.

Mr. TPS Chawla, DAG, Punjab accepts notice on behalf of respondents No.1 & 3.

Ms. Monica Chhibber Sharma, Additional Advocate General, Punjab accepts notice on behalf of respondents No.2 & 4 and submits that as the State Government is examining the matter and only after a decision is taken by the Director, Technical Education, respondent No.4 will be in a position to re-consider the case of the petitioners.

The imugned orders have been passed without any notice or opportunity of hearing to the petitioners is gross violation of principles of natual justice.

Consequently, the impugned orders are set aside. Respondent No.1 is directed to consider and decide the issue within a period of three months. Thereafter, respondent No.4 would be at liberty to pass a fresh order after considering reply of the petitioners and affording them an opportunity of hearing in the light of the letter and other relevant material and take a decision thereon within a period of three months.

(ANUPINDER SINGH GREWAL)
JUDGE

July 28, 2022
A.Kaundal/s

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