

In the High Court of Punjab and Haryana at Chandigarh

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CWP-21258-2022 (O & M)

Date of Decision: September 21, 2022

R.K. SINGH

.....PETITIONER

VERSUS

**CHANCELLOR, KURUKSHETRA
UNIVERSITY AND ANR**

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.S.S.Pathania, Advocate for the petitioner.

Mr. Amarjit Singh Virk, Advocate
for the respondents.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has impugned the order dated 15.12.2014 whereby he had been compulsory retired; order dated 17.11.2016 whereby fresh appointment was made of petitioner and the order dated 06.07.2018 whereby his appeal has been dismissed.

Learned counsel for the petitioner submits that the petitioner had been working as Assistant Professor in the Department of Fine Arts in the respondent-University since 2007. False allegations have been levelled against him by the students at the behest of another teacher. The Vice-Chancellor had directed the respondents to reconsider the matter and pass an appropriate order. The respondents instead of reinstating him, have re-employed him by including terms and conditions, which are oppressive. One of the condition is that he would not be appointed as Chairman/Head of the Department.

Issue notice to the respondents.

Mr. Amarjit Singh Virk, Advocate has put in appearance on behalf of the respondents-University and submits that the allegations of sexual harassment had been levelled against the petitioner by several students and the matter was enquired into by the University's Gender Sensitization Committee against Sexual Harassment and 07 members of the Committee had unanimously approved the enquiry findings whereby the petitioner had been indicted. Consequently, the petitioner had been compulsorily retired. He had preferred an appeal and the matter had been reconsidered and the petitioner was re-employed with the conditions which he had accepted at that time. He had also filed an affidavit accepting these conditions.

Heard.

The petitioner while working as Assistant Professor had been accused by several students of sexual harassment. Enquiry was held in the matter which has indicted the petitioner. The Gender Sensitization Committee of the University had unanimously approved the findings of the Enquiry Committee. The petitioner had thereafter been compulsorily retired. It is shocking that when allegation of sexual harassment had been proved in the enquiry report, the petitioner had been re-employed. The petitioner had accepted the terms and conditions of the re-employment and had also filed an affidavit of acceptance. He cannot now turn around and challenge the terms and conditions of his appointment.

In view of the above, especially when the petitioner had been held guilty by the enquiry committee with regard to serious allegations. He would not be entitled to any relief while exercising writ jurisdiction.

The petition is dismissed. The respondents are directed to keep the petitioner under strict watch and if any misbehaviour by the petitioner takes place, he should be dealt with sternly.

(ANUPINDER SINGH GREWAL)
JUDGE

September 21, 2022

A.Kaundal

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