

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

CWP-10853-2023

Date of decision : 18.05.2023

Shyamal Koley

....Petitioner

Versus

Guru Nanak Dev University, Amritsar and others

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Vivek Salathia, Advocate
for the petitioner.

Mr. M.K. Dogra, Advocate
for the respondents.

PANKAJ JAIN, J. (ORAL)

By way of present writ petition filed under Article 226/227 of the Constitution of India, the petitioner prays for issuance of a writ in the nature of mandamus directing respondents No.3-Appellate Authority to consider and decide the appeal (Annexure P-2) filed by the petitioner against order of punishment awarded to the petitioner wherein he has been ordered to be removed from service.

2. Mr. Dogra on instructions submits that since the order of removal *qua* the service of the petitioner has been passed by the Syndicate itself which is the Supreme Body no further appeal would be maintainable.

3. Faced with this situation, Mr. Salathia submits that the petitioner is residing in an official accommodation provided by the University which he was required to vacate by 30th of April, 2023 and the University has passed order (Annexure P-10) whereby the petitioner has

been ordered to pay penal rent @ Rs.71600/- per month. The children of the petitioner are in the midst of the academic sessions and are taking their examinations which are due to conclude by 30th of May, 2023 and the petitioner needs another one month to find appropriate accommodation, the University be directed to take compassionate view. However, he undertakes that the petitioner shall vacate the official residence on or before 30th of June, 2023.

4. Mr. Dogra on instructions submits that in case the petitioner vacates the premises by 30th of June, 2023, the penal rent will not be charged. However, the petitioner will have to pay the normal standard rent.

5. In view of above, the present writ petition is disposed off with the liberty to the petitioner to avail his remedies against the punishment order in accordance with law. He shall hand-over the possession of the official accommodation which is in his possession to the University Authorities on or before 30th of June, 2023 and the petitioner shall not be entitled to protect his possession over the official accommodation by any means in the light of undertaking given hereinabove. He shall keep on paying advance rent at standard rate.

6. Ordered accordingly.

May 18, 2023
Dpr

(Pankaj Jain)
Judge

Whether speaking/reasoned : Yes/No