

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

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CWP-19498-2020 (O&M)

Date of Decision: 12.01.2023

SHARWAN KUMAR

... Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Ms. Tanushree Gupta, DAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks issuance of directions to take action and conduct departmental inquiry against co-employee, namely, Vijay Luxmi.

Short reply by way of an affidavit dated 12.01.2023 filed on behalf of respondents No.1 to 4, in the Court, is taken on record. Copy thereof has been handed over to the learned counsel opposite.

Learned counsel for the petitioner submits that one Vijay Luxmi was working as a Guest Teacher and she made seven false and frivolous complaints against the petitioner; that, on the basis of the said complaints, inquiries were initiated and during the said period, the petitioner remained suspended; that in all the inquiries, the petitioner was exonerated; that the petitioner moved a complaint against Vijay Luxmi, but no action has been taken upon the same by the Department concerned and that the petitioner had also issued a legal notice dated 16.09.2020,

through Sh. Krishan Kumar Gupta, Advocate, for taking action against Vijay Luxmi, but to no avail.

Learned State counsel submits that, as per the short reply filed on behalf of the respondent-State, respondent No.2-District Elementary Education Officer, has issued a show cause notice dated 24.11.2022 under the Haryana Guest Teacher Services Act, 2019 to Vijay Luxmi calling for her clarification/reply, subject to the last opportunity.

I have heard the learned counsel for the parties.

As per the learned counsel for the petitioner, Vijay Luxmi made some false and frivolous complaints against the petitioner, though he was exonerated in the same. Despite issuance of a legal notice and a representation, no action has been taken by the Department concerned against Vijay Luxmi.

In view of the above said aspect of the matter, respondent No.2-District Elementary Education Officer, is hereby directed to look into the matter and redress the grievance of the petitioner against Vijay Luxmi (Guest Teacher) and bring the controversy in dispute to its logical end, at the earliest, as per law.

Disposed of in the above terms.

12.01.2023

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>