

2023:PHHC:152210
CWP-22883-2023
Date of Decision: 30.11.2023

Rosy Kumari

...Petitioner

Vs.

Shaheed Bhagat Singh State University and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. Sandeep K. Sharma, Advocate for the petitioner.

Mr. Puneet Sharma, Advocate for the respondent/caveators.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. Learned counsel appearing on behalf of the caveators/university fairly states that the impugned order passed by the University dated 25.08.2023, needs to be set aside as no inquiry was conducted on the charges levelled against the petitioner. He submits that there are grave charges against the petitioner and the University be allowed to conduct an inquiry.
2. Learned counsel for the petitioner does not object to the same and submits that the charges levelled against the petitioner are false and baseless.
3. Be that as it may, this Court finds that the Registrar has passed an order terminating the services of the petitioner, who was holding the post of Assistant Professor, Agriculture Department on consolidated salary, alleging the petitioner to be guilty of several charges mentioned in the order. The order is punitive in nature. Inquiry was, therefore, required to be conducted.

4. However, in view of fair stand taken by learned counsel for the University upon instructions from Mr. Rajeev Arora, HOD, Agriculture, this Court does not further deal with the matter nor make any further observation.

5. In view thereof, the order dated 25.08.2023, is quashed and set aside. The petitioner would be reinstated in service with continuity of service and actual salary. The respondents would be free to proceed further with their memorandum dated 04.08.2023 and the petitioner shall be free to submit her reply/defence and the same shall be considered by the respondents while taking decision on the matter.

6. The writ petition is allowed as above.

7. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

30.11.2023.

rajesh

1. Whether speaking/reasoned?	:	Yes/No
2. Whether reportable?	:	Yes/No