

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

106

CWP-197-2023 (O&M)
Date of decision: 01.05.2023

Anil Kumar

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sanjiv Gupta, Advocate for the petitioner.

Mr. R.S. Budhwar, Addl. AG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the petition under Article 226/227 of the Constitution of India is for issuance of a writ in the nature of Certiorari quashing the impugned order dated 04.03.2020 (Annexure P-19) passed by respondent No.5, vide which the services of the petitioner were terminated without taking into consideration, the basic mandate of law and without considering the provisions of Haryana Guest Teachers Services Act 2019 and for staying the operation order dated 04.03.2020.

Learned counsel for the petitioner submits that the order dated 04.03.2020 has been passed by respondent No.5-Headmaster, Govt. High School, Bakrianwali, Tehsil and District Sirsa, who is not competent to do so, only respondent No.2-Director, Elementary Education, Haryana and respondent No.3-District Elementary Officer, Sirsa, are the competent authorities.

On the asking of this Court, learned State counsel informs this Court that an appeal preferred by the petitioner is pending before the Appellate authority i.e. respondent No.2 and the petitioner has been called for personal appearance, but he is not appearing for the same. He submits that if the petitioner, appears before the Appellate authority, the statutory appeal will be decided within a stipulated period.

In view of the above, the present petition is disposed of with a direction to the petitioner to appear before the Appellate authority i.e. respondent No.2, where the appeal preferred by him is pending and if he appears, the appeal shall be decided expeditiously by passing a speaking order, in accordance with law.

(HARNARESH SINGH GILL)
JUDGE

01.05.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No