

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

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**CWP No.12663 of 1998
Date of Decision : 22.4.2024**

*Shashi Kanta**..... Petitioner**versus**Raja Ram Aggarwal Girls Sr. Secondary School, Mandi Dabwali and
others**..... Respondents***CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present: Ms. Ambika, Advocate, for
Mr. J.K. Goel, Advocate, for the petitioners

Mr. Lalit Chander Sharma, Advocate and
Mr. Anshul Gupta, Advocate, for respondents no.1 & 2

Mr. Sanjay Tangri, Advocate, for respondent no.3

TRIBHUVAN DAHIYA J. (ORAL):

The petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to release the amount of petitioner's salary with effect from July to 3.10.1997 as well as the provident fund amount.

2. Learned counsel for the third respondent submits that the petitioner's provident fund claim has been settled, as she was released the employee's provident fund of ₹89,251/- on 15.5.2000 and nothing remains due.

3. Learned counsel for the first and second respondents contends that the respondents are not liable to pay salary for the claimed period

since the petitioner left the job without giving any notice. Correct facts are

mentioned in the notice dated 2.12.1997, Annexure P-8, that she submitted her resignation on 4.10.1997 and left the service the same day when the School Principal was on leave without clearing pending dues amounting to ₹22,382, which she was asked to deposit by this notice. It is also mentioned therein that the petitioner, in fact, had submitted the resignation to join service in Government High School, Ghumiara, without disclosing the fact.

4. Learned counsel for the petitioner is not in a position to dispute the facts aforementioned. Consequently, the petitioner is not entitled to payment of salary for the three months period since she had left the School without notice or disclosing that she was to join government service. Besides, her provident fund claim has already been settled.

5. Accordingly, the petition stands dismissed *qua* the claim for salary.

(TRIBHUVAN DAHIYA)
JUDGE

22.4.2024
Ashwani

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No