

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

Date of Decision : 25-07-2024

.....Petitioner

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

Present: Mr. Harpal Singh Sirohi, Advocate
for the petitioner.

Mr. Swapan Shorey, DAG Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioner submits that the chargesheet, which has been issued to the petitioner-Headmaster has been issued by an authority which is not competent whereas, the learned State counsel raises a defence that a Director Education is the competent authority in case of the Headmaster being a punishing authority.

Faced with the situation, learned counsel for the petitioner submits that the petitioner intends to approach Secretary, Department of Education with a plea that the chargesheet has not been issued by the competent authority and let the said issue be decided by the Secretary, Department of Education and the petitioner would be satisfied at this stage, if the same is decided by passing appropriate speaking order.

Learned State counsel submits that, in case any representation is filed by the petitioner raising any objection qua the issuance of the

chargesheet, the same will be decided by the authority concerned within a period of eight weeks from the date of receipt of certified copy of the order by passing an appropriate speaking order. Learned State counsel further submits that in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioner in the speaking order to be passed which will be conveyed to him.

Learned counsel for the petitioner submits that keeping in view the statement of the learned State counsel, present petition may kindly be disposed of as having been not pressed any further.

Ordered accordingly.

Pending application, if any, also stand disposed off.

25-07-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO