

CWP-13462-2024

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

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CWP-13462-2024

Date of Decision :16.09.2024

Charnbir Singh

..Petitioner

Versus

Panjabi University, Patiala and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. S.S. Swaich, Advocate for the petitioner.

Mr. H.S. Baath, Advocate for respondent-University.

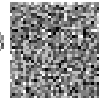
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Harsimran Singh Sethi, J. (Oral)

In the present petition, challenge is to order dated 03.02.2023 (Annexure P/3) by which, the services of the petitioner have been terminated by the respondent-University.

Learned counsel for the petitioner submits that the services of the petitioner have been terminated by the respondent-University without holding any enquiry despite the fact that reasons given in the termination order is with regard to the registration of an FIR No.32 dated 28.01.2023 under Sections 370(5) 120-B, 417 IPC and Section 81 of the Juvenile Justice (Care and Protection of Children) Act, 2015 at Police Station Sohana, District S.A.S. Nagar (Mohali). Learned counsel for the petitioner further submits that without holding any enquiry into the allegations, the services of the petitioner cannot be terminated by *ipso-facto* coming to the conclusion that the allegations alleged against the petitioner are proved.

Notice of motion.



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Mr. H.S. Baath, Advocate accepts notice on behalf of respondent-University and submits that respondent-University is not averse of passing a fresh order qua the petitioner but the only question is that whether the petitioner will claim salary for the period he remained out of service i.e. for the last one year and six months.

Learned counsel for the petitioner submits that he has instructions that in case impugned order dated 03.02.2023 (Annexure P/3) is withdrawn and the petitioner is reinstated in service, the petitioner will not claim salary for the period he remained out of service but petitioner be reinstated in service within a period of 02 weeks from today.

Learned counsel for the respondent-University keeping in view the telephonic instructions received from Registrar of the respondent-University submits that impugned order dated 03.02.2023 (Annexure P/3) be treated as withdrawn with liberty to pass appropriate fresh order qua the petitioner and the petitioner will be reinstated in service within a period of two weeks from today subject to fresh proceedings to be initiated against the petitioner.

Learned counsel for the petitioner submits that keeping in view the fact that impugned order dated 03.02.2023 (Annexure P/3) terminating the services of the petitioner has been withdrawn with liberty as recorded hereinbefore, present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

September 16, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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