



IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 112 alongwith connected case

Date of Decision: *August 13, 2024*

1.

Civil Writ Petition No.16974 of 2024

Jaswant Singh

..... PETITIONER(S)

VERSUS

State of Haryana & others

..... RESPONDENT(S)

...

2.

Civil Writ Petition No.16980 of 2024

Jagvinder Singh

..... PETITIONER(S)

VERSUS

State of Haryana & others

..... RESPONDENT(S)

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

PRESENT: - Mr. Pardeep Sihmar, Advocate, for the petitioner(s).

Mr. R.S. Budhwar, Additional Advocate General,
Haryana.

Tribhuvan Dahiya, J (Oral)

This order shall decide the aforementioned writ petitions based on similar facts, and agitating the same issue.

2. The petitions have been filed seeking a writ of *certiorari* quashing the orders, dated 29.06.2024, Annexure P-3, passed by the Principal of Government School, relieving the petitioners from service as temporary/contractual Sweepers, employed through the Haryana Kaushal Rozgar Nigam.

3. Learned counsel for the petitioners contends that the impugned relieving orders are *mala fide*, as the same have been passed only because one of the petitioners lodged a criminal case against the Principal, bearing FIR No.141 dated 11.03.2024, under Sections 323, 506 IPC; Sections



3(1)(r), 3(1)(s) & 3 (2) va of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. It is to settle personal scores that action has been taken against the petitioners alleging their work and conduct being not good, which is wrong.

4. Learned State counsel, on instructions, contends that earlier there had been complaints against the petitioners regarding mis-behaviour with girl students of the School, which is co-educational. The allegations were enquired into, and despite the findings being against them, action was not taken by accepting the apologies tendered. However, they have failed to mend ways, and misconducted themselves again. After affording due opportunity of hearing and considering their reply to the show cause notices, the impugned relieving orders were passed as it was not considered desirable to retain such employees in a co-educational School. Further, it has been wrongly alleged that the criminal case lodged against the Principal, bearing FIR No.141 dated 11.03.2024, was the reason for removal. In fact, the case was investigated by the Deputy Superintendent of Police, and the allegations were found false, leading to cancellation of the FIR.

5. Heard.

6. Considering the submissions made by learned counsel for the parties, this Court is not inclined to interfere in the matter. Apparently, only after taking into account the petitioners' response to the show cause notices regarding the allegations, which included mis-behaviour with the Principal also, that the impugned relieving orders have been passed which are not stigmatic.

CWP Nos.16974 & 16980 of 2024

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7.

Dismissed.

August 13, 2024

(Tribhuvan Dahiya)
Judge

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Whether Speaking/ Reasoned:

Whether Reportable:

Yes/ No

Yes/ No