



148 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25896-2024 (O&M)
Date of Decision : 04-10-2024

THE MANAGING COMMITTEE OF GURU GOBIND SINGH
COLLEGE SANGHERA BARNALA

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr.Pawan Kumar, Sr. Advocate with
 Ms. Vidushi Kumar, Advocate and
 Ms. Parul, Advocate for the petitioner.

 Mr. Sanjeev Roy, Advocate
 for respondent Nos. 2 and 3.

 Mr. H.C Arora, Advocate for respondent No.5.

HARSIMRAN SINGH SETHI, J. (Oral)

 Learned Senior counsel appearing on behalf of the petitioner
submits that for the same allegation of the respondent-employee that his
resignation has been forged, three different authorities at the moment are
enquiring into it, which is causing prejudice.

 Learned Senior counsel submits that they have no hesitation in
going to anyone of the authority to prove that the management has done no

wrong with resignation submitted by the respondent-employee and the resignation has not been forged as being alleged.

Learned Senior counsel for the petitioner submits that the petitioner will join the enquiry proceedings as being conducted by the Director, Higher Education, Punjab and the next date fixed is 07.10.2024 at Guru Gobind College, Sangher will be attended by the petitioner but till, the said proceedings are conducted and concluded, the proceedings before the Tribunal as well as the University on the same issue may kindly be kept in abeyance so that the petitioner does not have to face three different authorities for justifying the same action.

Notice of motion.

Mr. Sanjeev Roy, Advocate accepts notice on behalf of respondent Nos.2 and 3 and Mr. H.C Arora, Advocate accepts notice on behalf of respondent No.5.

Learned counsel appearing on behalf of respondent-employee submits that as, the Director, Higher Education has directly ordered an enquiry to look into the allegations of the respondent-employee with regard to forging of his resignation, let the said authority look into the said aspect and he has no objection till, the date, the appropriate decision is taken by the Director, Higher Education in this regard after receiving the report of the Enquiry Officer, the proceedings before the other two authorities i.e the Educational Tribunal as well as the Punjabi University, Patiala, on the same issue be kept in abeyance.

Keeping in view of above, the present petition is disposed of with the direction that the Enquiry Committee constituted by the Director, Higher Education vide letter dated 23.09.2024, proceeding of which are now

fixed for 07.10.2024, will look into the aspect of the allegations of the respondent-employee qua the forging of his resignation so as to terminate his service and the said Panel will give his findings on the basis of the record produced by either of the parties before the said Committee and the said report will be given within a period of three months from 07.10.2024 during which pending appropriate order will be passed by the Director, Higher Education, Punjab.

It is made clear that in case, any right accrues to the respondent-employee to claim benefit after the order passed by Director, Health Education, Punjab, the proceedings, which are being kept in abeyance before the University as well as the Tribunal, the same be can be revived by filing an appropriate application, in case the same is permissible.

Hence, the present petition is disposed of in the above terms.

Pending application, if any, also stands disposed of.

04-10-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

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