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

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**CWP-17515-2020 (O&M)
Date of decision : 28.01.2026**

INDERJEET SAROJ

..... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present :- Mr. R. K. Choudhary, Advocate
for the petitioner.

Mr. Rohit Ahuja, DAG, Punjab.

Deepinder Singh Nalwa, J. (Oral)

1. In the present writ petition, the petitioner has challenged the order dated 12.05.2020 (Annexure P-1) passed by respondent No.2, vide which service of the petitioner has been terminated and order dated 15.06.2020 (Annexure P-3) whereby the appeal filed by the petitioner against the order of termination/dismissal has been rejected by the appellate authority.

2. Brief facts of the case are that the petitioner joined the respondents' department as Science Master on 21.12.2006. A complaint was received against the petitioner alleging that he had performed a second marriage with one Smt. Manjit Kaur on 27.03.2016, without obtaining a

legal divorce from his first wife, Sangeeta. In pursuance to the above said



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complaint, a preliminary enquiry was held and the charge against the petitioner of contracting second marriage was proved.

3. The petitioner was served with a charge-sheet dated 04.09.2019. The charge framed against the petitioner was that he had contracted a second marriage during the subsistence of his first marriage, as such, petitioner had violated Rule 21(1) of Government Employees (Conduct) Rules, 1966. The petitioner duly filed a reply to the above said charge sheet. It transpires from the reply that the petitioner admitted having contracted a second marriage. It was the case of the petitioner that since he had obtained a *Panchayati* divorce as such, he was entitled to contract a second marriage.

4. Taking into consideration the fact that the petitioner had contracted a second marriage during the existence of the first marriage and that there was an admission on the part of petitioner, the services of the petitioner were terminated vide order dated 12.05.2020 (Annexure P-1), on the ground of violation of Rule 21(1) of Government Employees (Conduct) Rules, 1966, as well as Condition No.5 of the appointment letter.

5. Aggrieved against the above said order dated 12.05.2020 (Annexure P-1), the petitioner filed an appeal before the appellate Authority. The above said appeal was also dismissed by the Appellate Authority vide order dated 15.06.2020 (Annexure P-3). A perusal of the appellate order would show that since the petitioner had not obtained a legal divorce from his first wife as such, the petitioner had violated Rule 21(1) of Government Employees (Conduct) Rules, 1966, as well as Condition No.5 of the



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appointment letter as such, it was held by the appellate authority that there was no illegality in the order dated 12.05.2020.

6. Aggrieved against the orders dated 12.05.2020 (Annexure P-1) and 15.06.2020 (Annexure P-3), the petitioner has filed the present writ petition.

7. The only contention raised by the learned counsel appearing on behalf of the petitioner is that the petitioner had obtained a *Panchayati* divorce and therefore, the petitioner was entitled to contract a second marriage as such, the impugned orders are bad in law.

8. Learned counsel appearing on behalf of the respondents submits that a *Panchayati* divorce is not a valid divorce in the eyes of law as such, the second marriage contracted by the petitioner was void and as such conduct of petitioner in contracting second marriage was in violation of the provisions of relevant rules and also the condition of the appointment letter. He also submits that petition filed by the petitioner under Section 13 of the Hindu Marriage Act has also been dismissed by the competent Court vide order dated 19.11.2012.

9. I have heard learned counsel for the parties and perused the record.

10. There is no dispute with regard to the fact that the petitioner has contracted a second marriage during the subsistence of his first marriage. As regards the only contention raised by the counsel appearing on behalf of the petitioner that since the petitioner had obtained *Panchayati* divorce as such, the petitioner was entitled to contract a second marriage is concerned, it is

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well-settled law that a *Panchayati* divorce is not a legally acceptable divorce and is not recognized under the Hindu Marriage Act, 1955, as such, the petitioner could not have lawfully contracted a second marriage during the subsistence of his first marriage.

11. Taking into consideration the fact that there is an admission on the part of the petitioner that he had contracted a second marriage with Manjit Kaur during the subsistence of his first marriage, this Court finds no infirmity in the impugned orders.

12. Accordingly the present writ petition is dismissed.

13. Pending application(s), if any, shall also stand(s) disposed of accordingly.

(DEEPINDER SINGH NALWA)
JUDGE

28.01.2026

Rimpal

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No