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

(1) RSA-5143-2014 (O&M)

Punjabi University, Patiala and others

..Petitioners

Versus

Jasbir Singh

..Respondent

(2) RSA-6033-2015 (O&M)

Punjabi University, Patiala and others

..Petitioners

Versus

Manjit Singh

..Respondent

Reserved on: 28.01.2026

Date of decision: 31.01.2026

Uploaded on: 04.02.2026

Whether only the operative part of the judgment is pronounced?

NO

Whether full judgment is pronounced?

YES

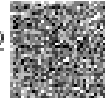
CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Abhishek Kaushik, Advocate
for the appellant(s).

Mr. Mayank Mathur, Advocate
for respondent(s).

SUDEEPTI SHARMA, J. (Oral)

1. Since in both the regular second appeals civil suit filed by both the respondents was for declaration that the office order dated 12.12.2005 passed by Punjabi University, Patiala, whereby, both the respondents/plaintiffs were dismissed from service and order dated 10.02.2006 passed vide resolution No.73 by Syndicate of Punjabi University, Patiala through its Chairman, whereby, appeals filed by both the respondents/plaintiffs were rejected which was conveyed to them vide order dated 10.04.2006 by Punjabi University, Patiala are illegal, null and void,



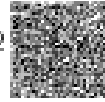
ultra vires, unconstitutional, against the rules and regulations of the appellants/defendants, mala fide and against the principles of natural justice, therefore, both the regular second appeals are decided vide this common judgment.

2. RSA-5143-2014 is preferred against judgment and decree dated 19.07.2012 passed by learned Civil Judge, Jr. Division, Patiala, and judgment and decree dated 17.04.2014 passed by Additional District Judge, Patiala, whereby, the civil suit filed by the respondent is decreed in his favour and appeal filed by the appellant was dismissed respectively.

3. RSA-6033-2015 is preferred against judgment and decree dated 01.10.2011 passed by learned Civil Judge, Jr. Division, Patiala, and judgment and decree dated 17.12.2012 passed by District Judge, Patiala, whereby, the civil suit filed by the respondent is decreed in his favour and appeal filed by the appellant was dismissed.

4. Brief facts of the case are that both the respondents in both the appeals were appointed as Peons and thereafter, promoted as Clerks. Thereafter, vide order dated 17.08.2004 both were suspended and on 09.09.2004 chargesheet was issued against them. Reply was filed by them. Thereafter, Inquiry Officer was appointed and he submitted his enquiry report. Thereafter, Punjabi University/respondent No.1 issued show cause notice dated 24.08.2005 and respondents filed detailed reply. Thereafter, both the respondents were served with order dated 12.12.2005 whereby, both were dismissed from service.

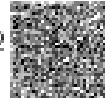
5. They preferred appeal dated 19.01.2006 before Syndicate of Punjabi University, Patiala/respondent No.2 against order dated 12.12.2005



and the same was rejected. Both filed civil suits against order of dismissal dated 12.12.2005 and appellate order bearing resolution No.73 dated 10.02.2006 conveyed vide memo dated 10.04.2006. Civil suits filed by them were decreed in their favour vide judgment and decree dated 19.07.2012 (in RSA-5413-2014) and 01.10.2011 (in RSA-6033-2015) passed by Civil Judge, Jr. Division, Patiala. Appellants filed appeals against the same which were dismissed vide judgment and decree dated 17.04.2014 passed by Additional District Judge, Patiala (in RSA-5413-2014) and vide judgment and decree dated 17.12.2012 passed by District Judge, Patiala (in RSA-6033-2015). Hence, the present regular second appeals.

6. Learned counsel for the appellant contends that both the Courts totally ignored the real facts and issues involved in the present case and wrongly decreed the civil suit in favour of the respondents and dismissed the appeal filed by the appellants. He further contends that both the respondents were appointed/promoted as Clerks by the Vice Chancellor and the Vice Chancellor is the punishing authority, therefore, punishment order is rightly passed by the Vice Chancellor. He, therefore, prays that the present regular second appeals be allowed and judgment and decree dated 19.07.2012 passed by learned Civil Judge, Jr. Division, Patiala, and judgment and decree dated 17.04.2014 passed by Additional District Judge, Patiala (in RSA-5143-2014) and judgment and decree dated 01.10.2011 passed by learned Civil Judge, Jr. Division, Patiala, and judgment and decree dated 17.12.2012 passed by District Judge, Patiala (in RSA-6033-2015) be set aside.

7. Per contra, learned counsel for the respondents contends that punishment order is not passed by the Vice Chancellor rather it is signed by

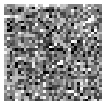


the Registrar. He further contends that Syndicate of Punjabi University, Patiala/respondent No.2 is the appellate authority and it was chaired by Vice Chancellor/respondent No.3 and once the punishing authority is Vice Chancellor/respondent No.3, he cannot be the appellate authority as well. He therefore, prays that the present regular second appeal be dismissed.

8. I have heard learned counsel for the parties and perused the whole record of this case with their able assistance.

9. A perusal of the record shows that admittedly, punishment order/dismissal order dated 12.12.2005 (Ex.P-1) is passed by the Registrar and signed by him. Further order of appellate authority i.e. order dated 10.04.2006 (Ex.P-2) admittedly, is passed by Syndicate of the Punjabi University/respondent No.2 which is chaired by the Vice Chancellor/respondent No.3, who passed punishment order and a person cannot be judged of his own cause. Therefore, learned Civil Judge, Jr. Division, Patiala has rightly remanded the case to be decided by independent appellate forum afresh and liberty is granted to the appellants to initiate fresh proceedings in accordance with law and the learned First Appellate Courts i.e. Additional District Judge, Patiala vide its judgment and decree dated 17.04.2014 (in RSA-5143-2014) and District Judge, Patiala vide its judgment and decree dated 17.12.2012 (in RSA-6033-2015) have rightly dismissed the appeal filed by the appellants.

10. Since the matter has been remanded to the authorities to initiate fresh proceedings in accordance with law, therefore, I do not find any infirmity in the judgment and decree dated 19.07.2012 passed by learned Civil Judge, Jr. Division, Patiala, and judgment and decree dated 17.04.2014



passed by Additional District Judge, Patiala (in RSA-5143-2014) and judgment and decree dated 01.10.2011 passed by learned Civil Judge, Jr. Division, Patiala, and judgment and decree dated 17.12.2012 passed by District Judge, Patiala (in RSA-6033-2015) and the same are upheld.

11. Accordingly, the present regular second appeals i.e. RSA-5143-2014 and RSA-6033-2015 are dismissed.
12. Pending miscellaneous applications, if any, are also disposed of.

31.01.2026

(SUDEEPTI SHARMA)
JUDGE

Saahil

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