

(2020) 02 P&H CK 0017
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 2598 Of 2020

Hardeep Kumar

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 04-02-2020

Acts Referred:

Citation : (2020) 02 P&H CK 0017

Hon'ble Judges : Augustine George Masih, J

Bench : Single Bench

Advocate : Kapil Kakkar, Monica Chhibber Sharma

Final Decision : Disposed Of

Judgement

Augustine George Masih, J

On 31.01.2020, following order was passed:-

"It is the contention of learned counsel for the petitioner that the petitioner was duly selected and appointed vide letter dated 09.09.2010 (Annexure P-5). In pursuance of the said appointment letter, the petitioner had joined the post of Head Teacher. Now vide the impugned order dated 10.10.2019 (Annexure P-6), the petitioner's appointment letter has been cancelled. This, the counsel contends, is without issuance of any notice to the petitioner or calling upon him to submit an explanation. In the impugned order as well, there is nothing mentioned as to why the revised list was prepared by the respondents and for what reasons.

Let Ms. Anu Pal, Deputy Advocate General, Punjab, be supplied three copies of the writ petition during the course of the day under proper receipt from her, who shall seek instructions as to whether prior to issuance of order of cancellation of her appointment letter dated 10.10.2019 (Annexure P-6), any show cause notice was issued or not.

List on 04.02.2020."

2. Learned counsel for the State, on instructions from Sh. Rajesh Kumar, Office of D.E.O. (Elementary Education), Pathankot, admits the fact that prior to passing of the impugned order dated 10.10.2019 (Annexure P/6), neither any show cause notice was given to the petitioner nor any explanation sought.
3. In the light of the above, the action of the respondents, being violative of the principles of natural justice, cannot sustain. Accordingly, the impugned order dated 10.10.2019 (Annexure P-6) is hereby quashed.
4. It goes without saying that as a consequence of the above, the petitioner shall again join as Head Teacher at Government Primary School, Janial and Block Narot Jaimal Singh. Petitioner would also be entitled to the salary as Head Teacher.
5. It would be open to the respondents to proceed against the petitioner in accordance with law, if so decided.
6. With the above observations, the writ petition stands disposed of.