

**Before Himachal Pradesh Private Educational Institutions
Regulatory Commission, Shimla .**

Case No: 12/2021

Date of Institution: 14.07.2021

Date of Decision: 15.09.2021

In the matter of:

Sangram Singh Guleria

.....Petitioner

Versus

Arni University, Kathgarh, Distt.-Kangra (HP)

.....Respondent

Order

This order shall dispose off the complaint filed by Sh. Sangram Singh Guleria (herein after referred as petitioner) through email on dated 05.07.2021, wherein petitioner filed complaint against Arni University, Kathgarh, Distt.-Kangra (HP) (herein after referred as respondent University) regarding non-payment of salaries, allowances etc. from January, 2019 onwards and illegal dismissal by the respondent University. A caveat petition has also been received on same day i.e. 05.07.2021 from the respondent University against the present petitioner.

After receiving above representations, the matter was fixed for hearings on 27.07.2021 & 11.08.2021, Registrar of respondent University requested for two weeks time and further ten more days time respectively to resolve the issue amicably which was accepted. Further, the Commission directed for the personal appearance of Chancellor, Vice-Chancellor, Registrar and Finance Officer of respondent University. Both the parties appeared before the Commission on 26.08.2021 and ample time for amicable settlement was given but the parties could not arrive at any conclusion. Moreover, as per the record submitted by both the parties, it reveals that petitioner appointed as a Registrar at the respondent University w.e.f. 10.08.2017 as per his appointment letter issued on dated 10.08.2017. Further, vide letter dated 02.02.2019, consolidated salary of the petitioner was also revised from 32,000/- to Rs. 50,000/- which had retrospective effect from 01.01.2019. Moreover, a copy of minutes of the meeting dated 6th January, 2021 submitted by the Respondent University in which it is revealed that the petitioner was transferred as a Director-Admission to Chandigarh Branch.

After hearing the plea of both the parties and on examination of all the documents submitted by the parties pertaining to the matter, it is observed:

1. That on perusal of the appointment letter of the petitioner, petitioner was appointed as Registrar with effect from 10.08.2017. Further, vide letter dated 02.02.2019, consolidated salary of the petitioner was also revised from 32,000/- to Rs. 50,000/- which had retrospective effect from 01.01.2019.
2. That the petitioner was relieved from the post of Registrar on 06.01.2021 and joined as Director (Admissions) at Chandigarh w.e.f. 07.01.2021.
3. That respondent University did not produce any documents which could prove that all the pending dues of the petitioner have already been paid to him.
4. That during hearing, the respondent University could not place any record which could **prove that appointment letter was forged by the petitioner and due to his negligence, the University suffered huge financial loss.** Moreover, respondent University could not explain that what prevented them to lodge an FIR against the petitioner, if any forgery was committed.

In view of the above, the Commission hereby pass the following orders:

- That as per records submitted by both the parties, it is evident that the petitioner is entitled for the salaries w.e.f. 01.01.2019 to till date and the respondent University is liable to release the pending dues of the petitioner. However, if any advance payment have already been made to the petitioner by the respondent University be also taken into consideration at the time of clearance of all the pending dues.
- Both the parties are again advised to amicably settle the issues and aggrieved party may approach the appropriate forum for the desired relief.

The above shall order come into the power with immediate effect.

Matter stand adjudicated, representations / applications, pending if any, in this matter also stand disposed off.

Orders be uploaded on website of the Commission.

File after completion be consigned to record room.

Announced.

(Major General Atul Kaushik)
Chairman

(Prof. Shashi Kant Sharma)
Member