

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

**CWP No.13555 of 2012
Date of decision:30/03/2015**

Vikramjit Singh ...Petitioner

Versus

Guru Nanak Education Trust and others ... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. I.S. Sidhu, Advocate for the petitioner.

Mr. Sanjay Tangri, Advocate for respondents No.1,2,6 and 7.

Mr. Rajinder Kaur, Advocate for respondent No.3.

Mr. Ashok Kumar, Advocate for respondent No.4.

Mr. Sushant Maini, D.A.G. Punjab.

DEEPAK SIBAL, J. (Oral)

The present writ petition has been filed against the impugned order dated 16.6.2012 through which the services of the petitioner have been terminated by the respondent-Guru Nanak Institute of Management and Technology (Gujarkhan) Gujarkhan Campus Model Town, Ludhiana.

In terms of provisions of Section 7-A (12) of the Punjab Affiliated Colleges (Security of Service of Employees) Act, 1974 (hereinafter referred to as “the Act”), the Educational Tribunal has the jurisdiction to hear all cases of disputes between the “Managing Committees” and the “employees”, as defined under the Act. The term “affiliated college” has been defined in Section 2(a) of the Act. The respondent-college is undisputedly an affiliated college. Section 2(e) of the Act defines the term “employee” which means a person in the employment of an affiliated college but excludes a work-charged employee. The petitioner duly fits in the definition of employee as defined under the Act.

Hence, the Educational Tribunal constituted under the Act will have jurisdiction to entertain the present lis between the respondent-management and the petitioner.

In view of the above, the present writ petition is transferred to the Tribunal for adjudication of the lis between the parties. The Tribunal shall not decide the same as a writ petition rather it should be assigned a number as is given by the Tribunal to the cases filed before it.

The parties are directed to appear before the Tribunal on 20.4.2014 for further proceedings.

The writ petition stands disposed of.

A copy of the petition be retained for records.

**(DEEPAK SIBAL)
JUDGE**

30.03.2015
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