

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.6702 of 2016

Date of decision: 8.4.2016

Raj Kumar

...Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. Rahul Sharma-I, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Counsel for the petitioner submits that the petitioner having retired would not be entitled to alternative remedy for approaching the Educational Tribunal, Punjab.

Under Section 2(e) of the Punjab Affiliated Colleges (Security of Service of Employees) Act, 1974 (hereinafter referred to as "the Act") only a work charged employee has been excluded from the definition, under Section 7-a(12) of the Act. The Educational Tribunal will thus have jurisdiction to hear all cases of disputes between the 'Managing Committees' and the 'employee' as defined in the Act.

In such circumstances, this Court is of the opinion that this Court cannot be approached at the first instance.

Accordingly, the present writ petition is disposed of with liberty to the petitioner to approach the Education Tribunal, Punjab for the necessary relief.

April 08, 2016
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(G.S.SANDHAWALIA)
Judge