

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 7680 OF 2015
DECIDED ON: OCTOBER 30, 2017

GURMAIL SINGH GILL AND ANOTHERPETITIONERS..

VERSUS

STATE OF PUNJAB AND OTHERSRESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Varun Goyal, Advocate
for the petitioners.

Mr. Manoj Bajaj, Additional Advocate General, Punjab.

Mr. A.S. Virk, Advocate,
for respondents No.3 and 4.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioners have sought issuance of a writ in the nature of mandamus directing the respondents to release arrears of salary resulted out of revision of pay scales w.e.f 01.01.2006 (5th pay commission recommendations) along with interest @ 18% per annum from the date it became due till payment. And to release leave encashment along with interest @ 18%. With further direction to pay contributory provident fund in accordance with the mandatory provisions of the Punjab University Calendar Regulation 12.3 and also enhanced management share of contributory provident fund treating salary as basic pay plus all allowance excluding house rent and to release arrears of

employer's share of of along with interest @ 12%.

2. Short affidavit by Mr. Surinder Paul, Deputy Director O/o Director Public Instructions (colleges) Punjab on behalf of respondents No.1 and 2 has been filed in Court today and same is taken on record, subject to all just exceptions.

3. Learned counsel for respondents No.3 and 4 submits that since the matter relates to Educational Tribunal, therefore, the matter be referred to the Educational Tribunal, Punjab.

4. Learned counsel for the petitioner does not dispute the same.

5. In view of the aforesaid agreed stand, the instant petition is ordered to be transferred and placed before the Educational Tribunal, Punjab.

6. Registry is directed to do the needful.

7. Parties through their counsel are directed to appear before the Education Tribunal, Punjab on 30.11.2017 for further proceedings.

OCTOBER 30, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes/No***

Whether reportable ***Yes/No***