

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

**CWP-14365-2015 (O&M)
Date of decision : 22.03.2023**

Vivek Goyal

..... Petitioner

versus

Thapar Polytechnic College and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. D.S. Patwalia, Senior Advocate with
Ms. Sehar Navjeet Singh Sandhu, Advocate
for the petitioner.

Mr. Rajat Khanna, Advocate
Mr. Vijay Pratap Singh, Advocate and
Mr. Gurpreet Singh, Advocate
for respondent No.1.

PANKAJ JAIN, J. (Oral)

CM-10954-CWP-2019

Application for placing on record reply to the application for revival of the main writ petition, is allowed subject to all just exceptions. Rely is taken on record.

CM-3761-CWP-2019

This is an application seeking revival of the writ petition.

For the reasons mentioned in the application, the same is allowed and the main case is taken on board today itself.

CWP-14365-2015

The petitioner is aggrieved of his termination and filed the present writ petition which was disposed off vide order dated 05.07.2018 relegating him to Punjab Educational Tribunal. In the proceedings before the Educational Tribunal, the Tribunal ruled out that the same was not within its domain to adjudicate and the petitioner was directed to approach appropriate forum which has resulted in filing of the present application.

CWP-14365-2015 (O&M)

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Counsel for the parties are *ad idem* that the jurisdiction to adjudicate upon the issue in hand would in fact vest in the Tribunal.

Reliance is being placed upon *CWP No.25942 of 2012 titled as “Suresh Sharma vs. State of Punjab and others and CR No.4315 of 2012, titled as “S.D. Model Senior Secondary School and another vs. District Judge-cum-Service Tribunal and another.”*

Consequently, the present writ petition is disposed off. The matter is transferred back to the Punjab Educational Tribunal. The records of the present case be sent to the Tribunal.

Interim order to continue till the Tribunal formulated its own decision.

Ordered accordingly.

(PANKAJ JAIN)
JUDGE

22.03.2023

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No