

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

Date of decision: 28.02.2018

CM No.180 of 2018 in/and
CWP No.23314 of 2013

Mamta Arora & others

...Petitioners

Vs.

The State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Vivek Singla, Advocate,
 for the applicant/petitioners.

RAJIV NARAIN RAINA, J. (ORAL)

CM No.180 of 2018 in/and
CWP No.23314 of 2013

Applicant/petitioners have moved the present application for disposal of the main writ petition i.e. CWP No.23314 of 2013 in view of order dated 20.09.2017 (Annex A-1) passed in CWP No.11506 of 2013 and other connected cases.

Notice of the application to the State respondent for final disposal with the main case today itself.

Ms. Shruti Jain Goyal, AAG, Haryana, who is present in Court, accepts notice on behalf of respondents No.1 & 2 and waives service.

Mr. Adarsh Jain, Advocate, representing the respondent – School in CWP No.11506 of 2013 titled ‘Kanchan Sharma Vs. State of Haryana & others’ is counsel in this case as well. He has not appeared when case is called for hearing. The issue is of jurisdiction and no prejudice will

be caused to the applicants in view of the nature of the order proposed to be passed.

There is no doubt the matter is covered by the aforesaid decision and the petitioners have to be relegated to the Educational Tribunal the remedy before which is efficacious alternative remedy and the dispute ought not to be decided by this Court under Article 226 of the Constitution of India. The Coordinate Bench had disposed of the matter and relegated the petitioners to file appeal before the respective Educational Tribunal -cum- District & Sessions Judges exercising territorial jurisdiction.

Accordingly, while allowing the instant application, the main petition is ordered to be disposed of by remitting the case to the proper forum. Any interim protection granted by this Court will carry forward in operation to the Tribunal for two months.

28.02.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*