

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No.19378 of 2018
Date of decision : 05.09.2018

Rajeev Kumar Bharti and others

...Petitioners

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ashok Tyagi, Advocate, for the petitioners.

RITU BAHRI J. (Oral)

Petitioners are seeking direction to the respondents No.1 and 2 to cause an inspection through its appropriate officers and peruse the record and ensure that the Appointment Letters containing legally valid contract of service are issued to the entire staff and teachers in tune with the Las/Rules/Circulars/Orders as are applicable and further all the consequential relief and statutory benefits and further directions to respondent No.3 to implement the law relating to Employees Provident Fund and deduct the applicable amount from the salaries of persons and deposit the same together with the employers' share with the concerned PF Commissioner and further directions to the respondents for grant of other relief as mentioned in the prayer clause of writ petition.

In the present case, instead of approaching this Court, petitioners should avail the alternative remedy of redressal by the Educational Tribunal, which has been constituted to determine all service disputes between the employees and Management. A reference in this regard can be made to the judgment in the case of **Management of S.D. Model Senior Secondary School and another v. District Judge-cum-Service Tribunal and another reported as 2014 (1) SCT 652.**

It is manifest from perusal of the judgment in the case of **Management of S. D. Model Senior Secondary School and another v. District Judge-cum- Service Tribunal and another** (supra) that all service disputes arising out of an order passed by the Management, are appealable to

the Educational Tribunal and only the cases which pertain to the payment of gratuity shall not be within the jurisdiction of the Educational Tribunal. The Haryana Government has constituted the Educational Tribunal vide notification dated 02.03.2015.

Accordingly, the Registry of this Court is directed to sent this petition to the Education Tribunal, Faridabad. The Education Tribunal, Faridabad, shall examine and decide the matter in accordance with law. Parties are directed to appear before the Education Tribunal.

Disposed of accordingly.

05.09.2018
Anil

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>