

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

**CWP No. 6564 of 2014 (O&M)
Date of Decision: 27.08.2018**

Naveen Kumar

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: None for the petitioner.

Ms. Shruti Jain Goyal, DAG Haryana.

Mr. Ramesh Hooda, Advocate
for respondent No.3.

Mr. Rajkumar Rathore, Advocate for
Mr. Ankit Goel, Advocate
for respondent Nos. 4 & 5.

Mr. R.K. Malik, Senior Advocate with
Mr. Sandeep Kumar Rana, Advocate
for the respondent No. 6.

Ms. Alka Chatrath, Advocate
for respondent No.7.

RAJIV NARAIN RAINA, J. (Oral)

The prayer in the present petition is for setting aside the appointment of respondent No.6. It can no longer be urged that the remedy does not lie before the Educational Tribunal exercising territorial jurisdiction over the dispute. An appeal is provided to the Educational Tribunal against the decision of the Management as per notification dated 07.05.2013. The notification constitutes Educational Tribunal in whose jurisdiction all service disputes arising out of the order passed by the Management would lie. See judgment of Division

Bench of this Court in CR No. 4315 of 2012, Management of SD Model Senior Secondary School and another Vs District Judge-cum-Service Tribunal and another, decided on 27.11.2013 and similar other decisions of Single Bench including one in CWP No. 14832 of 2001, Ram Phal Khatkar Vs. State of Haryana and others decided on 12.05.2017.

As a result, the remedy lies before the Educational Tribunal, Sonapat to which the petitioner is relegated. File be sent to the Educational Tribunal, Sonapat. Parties to appear before the Tribunal on 27.09.2018. Office is directed to inform learned counsel for the petitioners of this order.

(RAJIV NARAIN RAINA)
JUDGE

27.08.2018
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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*