

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

**CWP No. 25110 of 2018
Date of decision : 25.10.2018**

Rajesh Shrama and anr.Petitioners

versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sanjiv Gupta, Advocate
for the petitioners.

RITU BAHRI, J. (Oral)

Petitioners are challenging appointment of private respondent as Computer Clerk, Date Entry Operator and PA to Director of respondent- Maharaja Agrasen Institute of Medical Research and Education Agroha, District Hisar dated 14.03.2009 approval of which was accorded in 2017

A Division Bench of this Court in *Management of S.D. Model Senior Secondary School & another vs. District Judge-cum-Service Tribunal & another*, CR No.4315 of 2012 (decided on 27.11.2013), has held that as per directions issued by the Hon'ble Supreme Court, Education Tribunals have since been constituted. It has been further observed that vide notifications dated 28.05.2008 and 07.05.2013, powers of Education Tribunals have been given to the District & Sessions Judges in the State of Haryana, to hear appeals of the employees of aided/unaided Medical/Dental/Ayurvedic/Homeopathic/Educational Institutions against the decision of Management within their jurisdiction.

In the present case, it is not in dispute that the private respondents

are working in the Institution who is getting 90% grant-in-aid from the State Government and this issue can be examined by the Education Tribunal, Hisar.

In view of the above factual position, the present petition stands dispose of and The Education Tribunal, Hisar shall examine and decide the matter in accordance with law expeditiously. However, the Education Tribunal shall not dismiss the case on account of maintainability.

October 25, 2018
G Arora

(RITU BAHRI)
JUDGE

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