

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-78-2015

Date of decision: 13.07.2018

Pardeep Kumar

...Petitioner

V/s.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Ms. Sakshi Saini, Advocate for
Mr. HPS Ishar, Advocate for the petitioner.

Mr. Gaurav Jindal, Addl. A.G., Haryana.

Mr. B.R. Gupta, Advocate for respondent No.2.

Mr. R.K. Malik, Sr. Advocate with
Mr. Sandeep Dhull, Advocate for respondent No. 3.

RITU BAHRI, J. (Oral).

By this petition, the petitioner is seeking issuance of a writ in the nature of certiorari for quashing the appointment of respondent No. 3 as Clerk.

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 notification dated 28.05.2008 and 07.05.2013, power 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, selection of private respondent No. 3 is under challenge and this issue can be examined by the Education Tribunal, Yamuna Nagar.

Accordingly, the Registry of this Court is directed to send this petition to the Education Tribunal, Yamuna Nagar. The Education Tribunal, Yamuna Nagar, shall examine and decide the matter in accordance with law. Parties are directed to appear before the Education Tribunal on 29.08.2018.

Disposed of accordingly.

13.07.2018

Divyanshi

(RITU BAHRI)
JUDGE

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