

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

**CWP No. 9008 of 2016
Date of decision : 21.12.2018**

Rakesh Kumar SharmaPetitioner
versus

State of Haryana and ors. ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Rajesh Gupta, Advocate
for the petitioner.

Mr. Hitesh Pandit, Addl.A.G Haryana

Mr. M.R. Sharma, Advocate
for respondent Nos. 3 and 4.

RITU BAHRI, J. (Oral)

Prayer in this petition is for quashing the action of the respondents vide which the services of the petitioner has been terminated, resolution dated 05.05.2015 (P-8) passed by Managing Committee of respondent-College, letter dated 8/9.05.2015 issued by respondent No. 4, letter dated 01.03.2016 issued by respondent No. 2 and termination order dated 03.03.2016 (P-22).

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 petitioner was appointed as Peon and was working with the Hindu Girls College, Jagadhari, Yamuna Nagar and this issue can be examined by the Education Tribunal, Yamuna Nagar at Jagadhari, in view of above mentioned judgment and in view of notification dated 02.03.2015 issued by Higher Education Department, Government of Haryana, as the petitioner was employee of the college and his grievance is against the Management.

In view of the above factual position, the present petition stands dispose of and The Education Tribunal, Yamuna Nagar at Jagadhari shall examine and decide the matter in accordance with law expeditiously.

21.12.2018

G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No