

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

**CWP NO. 2406 of 1996(O&M)
Date of Decision: 22.04.2019**

Arinder Singh

... Petitioner

versus

DAV College Management Committee & Anr.

... Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Ms. Gurjot Grewal, Advoate
for the petitioner.

Mr. R.S. Dadwal, Advocate for
Mr. Aman Chaudhary, Advocate
for respondent No.1.

ARUN MONGA, J.

1. The petitioner has challenged the order dated 15.01.2007 (Annexure P-14-A) whereby services of the petitioner have been dismissed with retrospective effect i.e. with effect from the date he absented himself from the duty.

2. Learned counsel for respondent No.1 points out, at the outset, that the present matter is required to be remanded to the Educational Tribunal, Punjab enacted under the provisions of Section 7-A of The Punjab Affiliated Colleges (Security of Service of Employees) Act 1974. He submits that at the relevant time when the writ petition was filed, there was no Educational Tribunal. However, during pendency of the same, the

Tribunal has been constituted.

3. In view of the above, the parties are relegated to the jurisdiction of Educational Tribunal for adjudication of the *lis* in accordance with law.

The instant writ petition is directed to be transferred and place before the Educational Tribunal, Punjab under the Act.

4. The parties through their counsel are directed to appear over there on 30.05.2019.

5. Copy of the record, complete in all respect, be transmitted to the Tribunal well within time.

6. Disposed of.

(ARUN MONGA)
JUDGE

April 22, 2019
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| 1. Whether speaking/ reasoned: | Yes/ No |
| 2. Whether reportable: | Yes/ No |