

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 7434 of 2019

Date of Decision : 18.03.2019

Kewal Krishan Garg and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Pawan Kumar Goklaney, Advocate for the petitioners.

Harsimran Singh Sethi, J.(Oral)

On being pointed out that the relief, which is being sought by the petitioners in the present writ petition with regard to the leave encashment, is a dispute within the Management and the Employee and the said dispute is maintainable at the first instance before the Educational Tribunal, therefore, the present writ petition is not maintainable in view of the order passed by the Division Bench of this Court in Civil Revision No. 4315 of 2012, decided on 27.11.2013, titled as **Management of S.D. Model Senior Secondary School & another Vs. District Judge-cum-Service Tribunal and another.**

Faced with this situation, learned counsel for the petitioners states that he be allowed to withdraw the present writ petition with liberty to approach the Educational Tribunal for the redressal of his grievance as set up in view of the law laid down by Hon'ble the Supreme Court in **T.M.A. Pai Foundation & others Vs. State of Karnataka & others, (2002) 8 SCC 481.**

Dismissed as withdrawn with liberty as prayed for.

March 18, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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