

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 13245 of 2019

Date of decision :20.05.2019

Dr. Mahendra Singh

...Petitioner(s)

versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Kartar Singh Malik-I, Advocate for the petitioner.

RITU BAHRI, J. (Oral)

The petitioner was appointed as Principal with respondent No. 3-Saini (Co-Education) College, Rohtak and he has been relieved vide office order dated 02.05.2019 (Annexure P-3). A perusal of the order shows that he has not given any written request for extension of the contractual period beyond 15.03.2019. On a specific query put to learned counsel for the petitioner, he states that respondent No. 3 is a non-aided private institute.

At this stage, a reference can be made to the judgment passed by this Court in *CWP No. 29398 of 2017 titled Dr. Gurdev Singh Virk V/s. State of Haryana and others, decided on 21.05.2018* in which the petitioner has been relegated to approach the Education Tribunal. 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, the services of the petitioner has not been extended as per impugned order dated 02.05.2019 (Annexure P-3) passed by

respondent No. 3 and this issue can be examined by the Education Tribunal, Rohtak.

Accordingly, the Registry of this Court is directed to send this petition to the Education Tribunal, Rohtak. The Education Tribunal, Rohtak shall examine and decide the matter in accordance with law. Parties are directed to appear before the Education Tribunal on 10.07.2019.

Disposed of accordingly.

20.05.2019
Divyanshi

(RITU BAHRI)
JUDGE

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