

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 15651 of 2013
Date of Decision : 26.08.2019

Harish Chander and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Anurag Goyal, Advocate
for the petitioners.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

Mr. Sunil Panwar, Advocate
for respondent No. 3.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioners prays that as in the present writ petition, the dispute is between the Management and the employees for the grant of a particular benefit and keeping in view the law laid down by the Division Bench of this Court in **CR No.4315 of 2012 titled as Management of S.D. Model Senior Secondary School and another Vs. District Judge-cum- Service Tribunal and another, decided on 27.11.2013,** the employee has to raise grievance before the Educational Tribunal in respect of any claim against the Management and, therefore, petitioners be permitted to withdraw the present writ petition to approach the Educational Tribunal, Rohtak for the redressal of their grievance as

Learned counsel for the petitioners states that the present writ petition is pending since 2013 and even the replies have been filed by the respective respondents and in case he will file fresh pleadings before the Educational Tribunal, the same will not only result in delaying the proceeding but the same pleadings as already on the record of this petition, will have to be furnished again which will consume the time of the Tribunal as well and, therefore, he prays that he be allowed to withdraw this petition with liberty to approach the Educational Tribunal and the paper book of the present writ petition alongwith all the other records be sent to Educational Tribunal, Rohtak for passing an appropriate order on the plea/grievance as raised by the petitioners in the present writ petition.

Learned counsel for the respondents have no objection, in case record of the present writ petition is sent to the Educational Tribunal, Rohtak for passing appropriate orders on the plea as being raised in the present writ petition.

Keeping in view the above, counsel for the petitioners is allowed to withdraw this petition with liberty to approach the Educational Tribunal. Further as requested by the counsel for the parties, let the record of the present writ petition be sent to the Educational Tribunal, Rohtak for appropriate orders.

Parties are directed to appear before the Educational Tribunal, Rohtak, on 05.11.2019.

(HARSIMRAN SINGH SETHI)
JUDGE

August 26, 2019
kanchan

Whether reasoned/speaking? Yes
Whether reportable? No