

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

**CM-17433-2019 in
CWP-20594-2013
Date of decision: 06.12.2019**

JAGDEV SINGH GREWAL AND OTHERS

...PETITIONERS

VERSUS

STATE OF PUNJAB AND ORS.

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jatin Salwan, Advocate
for the appellant-petitioners.

Ms. Sunint Kaur, AAG, Punjab.

HARSIMRAN SINGH SETHI, J. (ORAL)

CM-17433-2019

The present application has been filed for recalling the order dated 06.09.2019 by which the writ petition was dismissed for non-prosecution.

Notice of the application.

On the asking of the Court, Ms. Sunint Kaur, AAG, Punjab who is present in the Court, accepts notice on behalf of the respondents and prays for an adjournment.

Keeping in view the averments made in the application which are duly supported by an affidavit, the order dated 06.09.2019 is recalled and the writ petition is restored to its original number and status.

CWP-20594-2013

In the present writ petition, the challenge is to the order Annexure P6 dated 05.06.2013 passed by respondent No.3. By the said order, the respondent-

benefits.

Learned State counsel argues that in the present writ petition, dispute is between the employees and the Managing Committee and keeping in view the order passed by this Court in **CWP No. 25942 of 2012 titled as Suresh Sharma Versus State of Punjab and others** on 11.04.2019, the jurisdiction to adjudicate all the disputes between the employee and the Management is with the Educational Tribunal.

Learned counsel for the respondents further states that the order dated 11.04.2019 passed by this Court in **CWP No. 25942 of 2012 titled as Suresh Sharma Versus State of Punjab and others** has attained finality as the same has already been upheld by the Division Bench in **LPA No. 892 of 2019 titled as Surinder Krishan Sharma Vs. State of Punjab and others** decided on 09.05.2019.

Faced with this situation, learned counsel for the petitioner very fairly states that the petitioners be relegated to avail their remedy before the Educational Tribunal, Punjab.

Learned counsel for the petitioners prays that as the pleadings are complete in this writ petition, let the paper book of this writ petition be sent to the Educational Tribunal, Punjab for passing an appropriate order on the prayers made by the petitioners in this writ petition otherwise the same pleadings are to be filed again, which will waste the precious time of the Educational Tribunal, Punjab.

Learned State counsel raises no objection for the grant of prayer as made by the learned counsel for the petitioners to send the paper book of this writ petition to the Educational Tribunal, Punjab for passing an appropriate order.

Keeping in view the request made by learned counsel for the petitioners, the petitioners are relegated to avail their remedy before the

Educational Tribunal, Punjab. Let the paper book of this writ petition be sent to the Educational Tribunal, Punjab for passing an appropriate orders as requested by the learned counsels appearing for the parties.

Parties are directed to appear before the Educational Tribunal, Punjab on 03.02.2020.

The present writ petition stands disposed of.

06 .12.2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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