

CWP No.18931 of 2015 (O&M) and connected petition 1

Sr. No. 229

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

**CWP No.18931 of 2015 (O&M)
Date of Decision: 18.01.2019**

Zile Singh and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CWP No.26360 of 2015 (O&M)

Zile Singh and another

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Vivek Khatri, Advocate,
for the petitioners.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. Anurag Jain, Advocate,
for respondents No.6 and 7.

ARUN MONGA, J.(ORAL)

These two petitions have been filed by an Ex-School teacher, *inter alia*, challenging his termination also his pay anomaly and non grant of benefit of regularization.

At the very outset, learned counsel for the respondents point out that vide Notification dated 09.08.2017, respondent No.6-School has been de-aided. Accordingly, he contends that the

CWP No.18931 of 2015 (O&M) and connected petition 2

present petition is not maintainable as it ought to be transferred to Educational Tribunal, Hisar.

Per contra, learned counsel for the petitioners controverts the said assertion on the ground that at the relevant time when writ petition was filed, the school was a Government aided school and, therefore, the petitioner was entitled to invoke the writ jurisdiction of this Court.

The said contention of the learned counsel for the petitioners is strongly controverted by the learned State counsel.

Be that as it may, without commenting on the controversy regarding the school being an aided school or not at the time of filing of the petition, the present position is that as on today school is not an aided school. Accordingly, the writ petition is transferred to the Educational Tribunal, Hisar for disposal of the same in accordance with law and the parties are directed to appear before the Educational Tribunal, Hisar on 20.03.2019.

Disposed of.

18.01.2019
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No