

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

(961)

CWP-6295-2013 (O&M)

Date of Decision: November 27, 2019

Rajnish Kumar and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Mayank Dev Singh, Advocate, for
Mr. Rajvinder Goyal, Advocate, for the petitioners.

Mr. Rana Harjasdeep Singh, DAG, Punjab,
for respondents No. 1 and 2.

Mr. Ajaivir Singh, Advocate, for respondents No. 4 & 5.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioners very fairly states that the claim of the petitioners in the present writ petition is against respondents No. 4 and 5, which is a Managing Committee of D.A.V College, for the release of the provident fund and CPF alongwith interest.

Learned counsel for the petitioners states that in view of the order passed by this Court in **CWP No.25942 of 2012 titled as Suresh Sharma Vs. State of Punjab and others, decided on 11.04.2019**, which has already been upheld by the Division Bench of this Court in **LPA No. 892 of 2019** titled as **Surinder Krishan Sharma Vs. State of Punjab and others**, decided on 09.05.2019, petitioners have to be relegated to the Educational Tribunal, Punjab.

Learned counsel for the respondents does not have any objection for relegating the petitioners to avail their remedy before the Educational Tribunal, Punjab.

Learned counsel for the petitioners states that as the present writ petition was admitted and is pending hearing already since the year 2013, let the record of this writ petition be sent to the Educational Tribunal, Punjab for passing appropriate orders as filing of the same pleadings will waste the precious time of the Tribunal.

Learned counsel for the respondents have no objection for the grant of the prayer for sending the record of the present writ petition to the Educational Tribunal, Punjab.

Keeping in view the request made by learned counsel for the petitioners, which is not opposed by learned counsel for the respondents, the petitioners are relegated to avail their remedy before the Educational Tribunal, Punjab.

Let record of this writ petition be sent to the Educational Tribunal, Punjab for passing appropriate orders on the prayer made in the present writ petition.

Parties are directed to appear before the Educational Tribunal, Punjab on 24.02.2020.

In view of the above, the present writ petition stands disposed of.

CM-15224-CWP-2017 is also disposed of.

November 27, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes
Whether reportable: No