

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

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CWP-28345-2017

Date of Decision : 17.05.2019

Baldev Raj

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr.R.K.Dadwal, Advocate
for the petitioner.

Mr. Mehardeep Singh, Addl.A.G., Punjab.

Mr.M.S.Atwal, Advocate
for respondents No.4 & 5.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance of the petitioner is against the privately managed Government Aided Institution i.e. respondents No.4 and 5 and the claim is for the grant of interest on the delayed payments of retiral benefits.

Counsel for the respondents states that keeping in view the provision of Clause 7-A (12) of the Punjab Affiliated Colleges (Security of Service of Employees) Act, 1974, all the disputes between Managing Committee and the employees lie before the Educational Tribunal. He also rely upon the judgment of this Court in *CWP No.25942 of 2012* titled as “*Suresh Sharma vs. State of Punjab*” decided on 11.04.2019 wherein, it has been held that keeping in view the provisions mentioned above, it is the Educational Tribunal, at the first instance, where an employee has to raise his grievance.

Faced with this situation, counsel for the petitioner prays that the record of this writ petition be sent to the Educational Tribunal, Punjab, for passing appropriate orders.

Counsel for the respondents have no objection if the records of the present writ petition be sent to Educational Tribunal for passing appropriate orders.

In view of the above, let the records of the present writ petition be sent to the Educational Tribunal, Punjab for passing an appropriate order on the grievance raised by the petitioner therein.

Parties are directed to appear before the Educational Tribunal on 30.07.2019.

The present writ petition stands disposed of in above terms.

(HARSIMRAN SINGH SETHI)
JUDGE

May 17, 2019
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Whether speaking/reasoned? *Yes/No*
Whether reportable? *Yes/No*