

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 31019 of 2018
Date of Decision : 29.04.2019

Ramesh Kumar Sharma and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Virinder Kumar Shukla, Advocate for the petitioners.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Mr. Vikram Singh Chahal, Advocate for respondent No. 3.

Mr. Gurdeepinder Singh Dhillon, Advocate
for respondent No. 4.

Harsimran Singh Sethi, J.(Oral)

Short reply on behalf of respondent No. 4 has been filed in Court today. The same is taken on record.

At the outset, learned counsel for the respondents raised a preliminary objection qua the maintainability of the present writ petition. The grievance which is being raised by the petitioner is in respect of order dated 08.08.2018 (Annexure P-3), which has been passed by the D.M. College, Managing Committee.

Learned counsel for the respondents state that as per Clause 7-A(12) of the Punjab Affiliated Colleges (Security of Service of Employees) Act, 1974 as amended from time to time, all the disputes between the

Managing Committee and the employees are to be adjudicated by/before the Educational Tribunal. The relevant clause is as under:-

“(12) The Educational Tribunal shall have jurisdiction to hear all cases of disputes between the 'Managing Committee' and the 'employees' as defined in this Act, and the Punjab Privately Managed Recognized Schools Employees (Security of Service) Act, 1979.”

Faced with this situation, learned counsel for the petitioners states that the record of this case be sent to the Educational Tribunal, for passing an appropriate order on the plea, which has been raised by the petitioners in the present writ petition.

In view of the statement made, let the record of this case be placed before the Educational Tribunal, Punjab for appropriate order(s) on the plea raised by the petitioners in the present writ petition.

Parties are directed to appear before the Educational Tribunal, Punjab on 10.07.2019.

April 29, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No