

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

(251)

CWP-8548-2017

Date of Decision: July 11, 2019

Sohinder Kaur and others

.. Petitioners

Versus

Central Board of Secondary Education & anr .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. H.P.S. Ishar, Advocate, for the petitioners.

Mr. Aseem Aggarwal, Advocate,
Mr. Harsh Aggarwal, Advocate, for respondent No.1.

Mr. Abhivadya Sood, Advocate, for respondent No.2.

HARSIMRAN SINGH SETHI, J.(ORAL)

Reply on behalf of respondent No.2 filed in the Court today is taken on record. Copy thereof has been supplied to counsel for the petitioners.

In the present writ petition, the challenge is to the order which has been passed by an un-aided institution, for the grant of gratuity.

Learned counsel for the respondents raises objection with regard to the maintainability of the present writ petition before this Court on the ground that respondent No.2-institution, whose order is under challenge as well as the claim of the petitioners, which is for the grant of gratuity, they have to approach the appropriate authority under the Payment of Gratuity Act, 1972 as they have a remedy for the redressal of their grievances and the statement given in para 15 of the writ petition is false.

Counsel for the petitioners is unable to rebut the objections which have been taken by the respondents for the maintainability of the present writ petition before this Court.

Faced with this situation, learned counsel for the petitioners states that he be allowed to withdraw the present writ petition with liberty to approach the appropriate authority under the Payment of Gratuity Act, 1972 for the redressal of the grievance of the petitioners as being raised by the petitioners in the present writ petition.

With regard to the other issues, counsel for the petitioners states that he has already approached the Educational Tribunal and therefore, he be allowed to withdraw the present writ petition.

Dismissed as withdrawn with liberty as prayed for.

July 11, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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