

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

243

CWP-5912-2018

Date of Decision : 17.05.2019

Sukhjit Dhillon

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr.A.P.Kaushal, Advocate
for the petitioner.

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

Mr. Gurmeet Singh, Advocate
for respondent No.4.

Harsimran Singh Sethi, J.(Oral)

Reply on behalf of respondents No.1 and 2 has been filed in Court today. The same is taken on record. A copy thereof has been supplied to counsel for the petitioner.

In the present writ petition, the challenge of the petitioner is to the order Annexure P-7, which has been passed by respondent No.4 declining the claim. Respondent No.4 is a Government Aided Privately Managed College.

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 of a Privately Managed Government Aided

Institution 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 can 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*