

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

(265)

CWP-6963-2018

Date of Decision: July 10, 2019

Shashi Bindal and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Nitin Verma, Advocate, for the petitioners.

Mr. Navdeep Chhabra, DAG, Punjab.

Mr. Sameer Sachdeva, Advocate, for respondents No. 4 and 5.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioners states that for the relief which is being claimed in the present writ petition with regard to the revised arrears of pay scale, a direction has been sought against respondent No.4 and 5 to release the same. Keeping in view the provisions of Rule 7-A (12) of 1974 Act, all the disputes between the employees and the management are to be decided by the Educational Tribunal at the first instance.

Counsel for the petitioners states that while interpreting Section 7-A (12) of 1974 Act, this Court in CWP No.25942 of 2012 titled as Suresh Sharma Vs. State of Punjab and others, decided on 11.04.2019, held that an employee in respect of any grievance against the managing committee, has to approach the Educational Tribunal. The said order has already been upheld by the Division Bench as LPA No.892 of 2019, decided on 09.05.2019 has already been dismissed.

Learned counsel for the petitioners prays that he be allowed to approach Education Tribunal for the redressal of the grievances of the petitioners as raised in this petition.

Learned counsel for the petitioners states that as the writ petition was filed in the year 2018 and the reply has already been filed by the respondents management, let the record of this writ petition be sent to the Educational Tribunal for passing appropriate speaking order.

Counsel for respondents No. 4 and 5 very fairly states that he does not oppose this prayer.

Keeping in view the request made by counsel for the parties, record of the present writ petition be placed before the Educational Tribunal for passing appropriate orders on the claim raised by the petitioner against respondents No. 4 and 5.

Parties are directed to appear before the Educational Tribunal, on 28.08.2019.

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

(HARSIMRAN SINGH SETHI)
JUDGE

July 10, 2019
harsha

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