

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

**CWP-1925-2017 (O&M)
Date of decision: - 29.01.2019**

Nanak Singh Mahal

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. R.D. Anand, Advocate
for the petitioner.

Ms. Deepali Puri Sandhu, Additional Advocate General, Pb.

Mr. Rahul Sharma-I, Advocate,
for respondents No.3 and 4.

HARSIMRAN SINGH SETHI, J. (ORAL)

Present writ petition has been filed by the petitioner claiming that orders/replies (Annexures P-3 and P-4) are contrary to the law and he is entitled for the arrears of salary on account of revision of the pay-scales w.e.f. 01.01.2006 alongwith interest.

Notice of motion was issued on 02.02.2017.

Upon notice, counsel for respondents No.3 and 4 have filed the reply today in the Court and a copy thereof has been supplied to counsel for the petitioner.

Counsel for the respondents No.3 and 4 have taken a

preliminary objection that jurisdiction in respect of prayer made by the petitioner lies with the Educational Tribunal constituted under the Punjab Affiliated Colleges (Security of Service of Employees) Act, 1974, therefore, the present writ petition is not maintainable before this Court, at this stage.

Counsel for the petitioner is unable to rebut this argument/objection.

Keeping in view the objection raised on behalf of the respondents No.3 and as agreed by the counsel for the parties, the record of the present writ petition be sent to the Educational Tribunal for appropriate decision as the matter is within the jurisdiction of the said authority.

(HARSIMRAN SINGH SETHI)
JUDGE

January 29, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No