

CWP No.10967 of 2020

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

**CWP No.10967 of 2020
Date of decision : 30.7.2020**

Tejinder Kumar

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM: Hon'ble Mr. Justice G.S. Sandhawalia

Present:- Mr. Preetwinder Singh Dhaliwal, Advocate
for the petitioner.

Ms. Lavanya Paul, Assistant Advocate General, Punjab

(The proceedings have been conducted through Video
conferencing as per instructions.)

G.S. Sandhawalia, J. (Oral)

Challenge is to the order dated 31.5.2018 (Annexure P/5)
whereby services of the petitioner as Librarian have been terminated
despite that he was exonerated from the charges. The petitioner also
prays for release of the pay from the date of his termination as well as
30% pay which was to be paid by the respondents from April, 2017 to
November, 2017.

Admittedly, the petitioner has an alternative and
efficacious remedy by way of approaching the Educational Tribunal,
Punjab which has jurisdiction over such issues but he has chosen to
invoke the extra-ordinary writ jurisdiction of this Court under Articles
226/227 of the Constitution of India.

It is settled principle that where the alternative and

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efficacious remedy exists the writ petition would not be maintainable.

Faced with this situation, counsel for the petitioner prays that the present writ petition be dismissed as withdrawn with liberty to avail his alternative remedy before the Educational Tribunal.

Accordingly, the present writ petition is dismissed as withdrawn with the aforesaid liberty.

30.07.2020
Pka

(G.S.Sandhawalia)
Judge