

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

**CWP No. 2698 of 2021
Date of decision: 02.02.2022**

Naresh Petitioner.

Versus

State of Haryana and others Respondents.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Saurabh Bajaj, Advocate, for the petitioner.

Ms. Shubhra Singh, Additional Advocate General, Haryana,
for respondents No. 1 and 2.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner, who is working as a Lab Attendant in the respondent-College, has sought a writ in the nature of mandamus granting him the pay scale of Junior Lecturer Assistant and Senior Lecturer Assistant as a promotional pay scale.

Learned State counsel contends that this dispute between the petitioner and respondent No.3 could be referred to the Educational Tribunal, Palwal. She, upon instructions from Mr. Ajit Singh, Deputy Director, Higher Education, Haryana, contends that the Tribunal is now functional.

Learned counsel for the petitioner contends that the Tribunal was not functioning earlier due to Covid-19 pandemic and, therefore, this petition had been preferred before this Court.

Heard.

It has been held by a Division Bench of this Court in the case of Management of S.D. Model Senior Secondary School and another vs. District Judge-cum-Service Tribunal and another, CR No. 4315 of 2012 decided on 27.11.2013, that all the disputes between the employee and the management are to be raised before the Educational Tribunal at the first instance. The petitioner has approached this Court without availing alternate remedy for adjudication before the Educational Tribunal.

Consequently, the petitioner is relegated to avail his remedy before the Educational Tribunal, Palwal.

Let the paper book of this writ petition be sent to the Educational Tribunal, Palwal for passing appropriate orders.

The parties are directed to appear before the Educational Tribunal, Palwal, on 03.03.2022.

The writ petition is disposed of in the above terms.

Pending application(s), if any, shall also stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

02.02.2022
Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No