

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

CREF-1-2020 (O&M)

Date of decision: 05.09.2022

Amanjot Kaur

....Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Shruti Jain, DAG, Haryana and
Mr.J.S.Pannu, AAG, Haryana

Mr. R.K.Malik, Sr. Advocate with
Mr. Varun Veer Chauhan, Advocate for respondent
no. 4 and 5

ANIL KSHETARPAL, J (Oral)

This reference has been received from the Service Tribunal
with respect to its scope of jurisdiction.

On 29.08.2022, after noticing the contentions of the learned
counsel representing the parties, the following order was passed by this
Court:-

*“Sh.R.K.Malik, Senior Advocate,
represents the management. He submits that in view
of the judgment in **Management of S.D. Model
Senior Secondary School and another vs. District
Judge-cum-Service Tribunal and another, 2014 (2)
PLR 89 and Ram Phal Khatkar vs. State of Haryana
and others** (CWP No.14832 of 2001, decided on
12.05.2017), the dispute questioning the recruitment
by private management shall also fall within the
scope of jurisdiction of the Service Tribunal
constituted under the administrative order passed by
the State Government.*

*Mr. Harsh Vardhan, AAG, Haryana,
prays for some time to examine the same before
assisting the Court.*

*Adjourned to 05.09.2022. To be listed in
the urgent list.*

The office is directed to inform the learned counsel representing the petitioner.

No further request for an adjournment, written or oral, shall be entertained.”

Learned counsel representing the parties are ad idem that in view of the judgment passed by the Division Bench in ***Management of S.D. Model Senior Secondary School and another vs. District Judge-cum-Service Tribunal and another, 2014 (2) PLR 89 and Ram Phal Khatkar vs. State of Haryana and others (CWP No.14832 of 2001, decided on 12.05.2017)***, the scope of jurisdiction of Service Tribunal has already been well defined. They jointly submit that in view of the aforesaid facts, let the matter be referred back to the Service Tribunal for its decision on merits.

Ordered accordingly.

All the pending miscellaneous applications, if any, are also disposed of.

05.09.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE