

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(209)

CWP-19916-2009

Date of Decision : August 25, 2022

Aas Mohd.

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vivek Khatri, Advocate, for the petitioner.

Mr. R.S. Budhwar, Addl. A.G., Haryana.

Mr. O.P. Sharma, Advocate, for respondent No.4.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the petitioner is entitled for the release of the salary admissible to him w.e.f 16.09.2005 onwards along with interest.

Learned counsel for the petitioner further argues that the Managing Committee of the Mohd. Yasin Khan Meo High School, Nuh, Mewat is not discharging their liability towards the petitioner in respect of the release of his salary.

Learned counsel appearing on behalf of respondent No.4 submits that the claim of the petitioner in the present petition is against a Managing Committee and keeping in view the notification issued by the

Government of Haryana, the jurisdiction to decide the claim of an employee of an aided or unaided institution in respect of a claim against the management of an aided institution is with the Educational Tribunal and therefore, the present petition is not maintainable.

Faced with this situation, learned counsel for the petitioner submits that the petitioner is ready to avail appropriate remedy before the Educational Tribunal, Mewat but request of the petitioner is that as the pleadings in the present petition are complete and therefore, the paper book of the present case be sent to the Educational Tribunal so that, no time of the Tribunal is wasted in again finalizing the pleading of the parties.

Learned counsel appearing on behalf of respondent No.4 raises no objection qua the said plea.

Keeping in view the above, as prayed for by the petitioner, he is relegated to his remedy before the Educational Tribunal, Mewat. Parties are directed to appear before the Educational Tribunal, Mewat on 20.10.2022.

Registry is directed to send the paper book of this petition to the Educational Tribunal, Mewat for passing appropriate order on the grievance of the petitioner.

August 25, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No