

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

212A

1. CWP No.1197 of 2019
Date of Decision : 9.11.2023

Ali Mohd.

..... Petitioner

versus

State of Haryana and others

..... Respondents

2. CWP No.1226 of 2019

2023:PHHC:145382

Amrit

..... Petitioner

versus

State of Haryana and others

..... Respondents

3. CWP No.1240 of 2019

2023:PHHC:145383

Rashid Khan

..... Petitioner

versus

State of Haryana and others

..... Respondents

4. CWP No.1264 of 2019

2023:PHHC:145386

Om Parkash

..... Petitioner

versus

State of Haryana and others

..... Respondents

5. CWP No.1290 of 2019

2023:PHHC:145388

Bhanu Ram

..... Petitioner

versus

State of Haryana and others

..... Respondents

6. CWP No.1292 of 2019

2023:PHHC:145390

Shaukat Ali

..... Petitioner

versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Arvind Galav, Advocate, for
Mr. G.S. Bhatia, Advocate, for the petitioner(s)

Mr. Ravi Pratap Singh, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

These petitions have been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to release the salary of the petitioner(s) for the period from October 2015 to February 2018 alongwith benefits of 7th Pay Commission, w.e.f. 1.1.2016 as well as consequential benefits. Further, direction is sought to the respondents to decide the legal notice, Annexure P-8, issued by the petitioner(s).

2. Learned State counsel submits that the claim raised in the instant petitions are essentially against respondent no.4/school, which is a private aided educational institution. To decide all disputes of employees working in aided/unaided institutions, the government has constituted Educational Tribunals in the districts vide notification dated 2.3.2015, which will have the jurisdiction to decide the issues raised in the instant petitions.

3. Undisputedly, respondent no.4 is a private aided educational institution. The Educational Tribunals set-up in terms of the aforesaid notification are to adjudicate upon all the disputes of employees working in aided/unaided institutions. This has been so interpreted by a Division Bench of this Court in *Management of S.D. Model Senior Secondary School and another v. District Judge-cum-Service Tribunal and another*, 2014 (1) SCT 652.

4. In view thereof, the petitions are disposed of and the petitioner(s) is relegated to jurisdiction of the Educational Tribunal concerned for redressal of his/their grievances.
5. Registry is directed to send complete record of the instant cases to the concerned Educational Tribunal for adjudication on merits.
6. Photocopy of this order be placed on the connected case files.

(TRIBHUVAN DAHIYA)
JUDGE

9.11.2023
Ashwani

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No