

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

212

**CWP No.1113 of 2019
Date of Decision : 9.11.2023**

*Laj Pat**..... 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

Mr. Ravi Pratap Singh, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to release the salary of the petitioner 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.

2. Learned State counsel submits that the claim raised in the instant petition is 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 petition.

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 petition is disposed of and the petitioner is relegated to jurisdiction of the Educational Tribunal concerned for redressal of his grievances.

5. Registry is directed to send complete record of the instant case to the concerned Educational Tribunal for adjudication on merits.

(TRIBHUVAN DAHIYA)
JUDGE

9.11.2023

Ashwani

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