

CM-17470-CWP-2023 in/and
CWP No. 17089 of 2020

2023:PHHC:144765

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(103)

CM-17470-CWP-2023 in/and
CWP No. 17089 of 2020
Date of Decision : 15.11.2023

Dalbir Singh

...Petitioner

Versus

The Director of School Education Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Himanshu Sharma, Advocate for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

CM-17470-CWP-2023

Present application has been filed for recalling the order dated 04.09.2023, by which, the present writ petition was dismissed for non-prosecution.

Notice of the application to the counsel opposite.

Mr. Pankaj Middha, learned Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents. He raises no objection for the grant of prayer as raised in the present application.

Keeping in view the averments made in the application, which is duly supported by an affidavit, coupled with the fact that learned

counsel for the respondents has not objected to the relief as prayed in the present application, the same is allowed. The order dated 04.09.2023 is recalled and the writ petition is restored to its original number and status.

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In the present petition, the claim of the petitioner is for the grant of wages for the period for which he had discharged the duties.

In the reply, the respondents have mentioned that the petitioner was not employed by any Government Institution or Authority but he was employed by the Parent Teacher Association and he was also being paid from the fund maintained by the Parent Teacher Association. Keeping in view the said fact, which has gone un-rebutted, the writ petition against the Parent Teacher Association is not maintainable. No fact has been substantiated by the petitioner that he was ever appointed by the Government.

Faced with this situation, learned counsel for the petitioner submits that the present petition may kindly be disposed of having been not pressed any further with liberty to the petitioner to avail appropriate remedy for the redressal of his grievance with regard to the claim of wages before the appropriate forum against Parent Teacher Association.

Ordered accordingly.

November 15th, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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