

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.24529 of 2018 (O&M)

Date of Decision.11.01.2023

Sonia

...Petitioner

Vs

State of Haryana and others

...Respondents

2. CWP No. 24964 of 2018 (O&M)

Sonia

...Petitioner

Vs

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Alakh Bhatt, Advocate for
Mr. Sandeep Singal, Advocate
for the petitioner in CWP No.24529 of 2018.

Mr. Vishva Nath Sharma, Advocate
for the petitioner in CWP No.24964 of 2018.

Mr. Kapil Bansal, DAG, Haryana.

Mr. Sandeep K. Sharma, Advocate
for respondent No.3.

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JAISHREE THAKUR J. (ORAL)

By this common order, this Court proposes to dispose of both
the writ petitions as facts are common.

The petitioners alleged that they are working in aided college
receiving financial aid from the Government of Haryana. They were
appointed against the post of Assistant Professor on a consolidated salary,
however, for the reasons best known to the Management, their services were
not continued. Aggrieved by the same, present writ petitions have been filed
seeking to challenge the action of respondent No.4 in not permitting the
petitioners to continue to discharge their services as Lecturers.

Learned counsel appearing on behalf of respondent No.3 raises a preliminary objection that the writ petitions itself *per se* are not maintainable and that the petitioners would have to approach the Educational Tribunal, as the law in this regard is well settled. He relies upon the judgments rendered by this Court in *Management of S.D. Model Senior Secondary School and another Vs. District Judge-cum-Service Tribunal and another 2014 (13) RCR (Civil) 328* and in CWP No.13245 of 2019 titled as *Dr. Mahendra Singh Vs. State of Haryana and others* decided on 20.05.2019 wherein notifications dated 28.05.2008 and 07.05.2013 were taken into consideration and held that power had been given to District Judges in the State of Haryana to hear appeals of employees of aided/unaided Medical/Dental/Ayurvedic/Homeopathic/Educational Institution against the decision of the Management.

I have heard learned counsel for the parties and have perused pleadings of the case and the case laws as relied upon. Consequently, in view of the settled proposition that a District Judge is competent to hear all disputes against the management of aided/unaided institutes, the petitioners herein are relegated to avail their remedy before the concerned Educational Tribunal. Since the petitioners have been agitating their claim before this Court, question of limitation would not be raised by the Management.

With the aforesaid observations, the writ petitions stand disposed of.

(JAISHREE THAKUR)
JUDGE

January 11, 2023
Pankaj*

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No