



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

230

CWP-11724-2022 (O&M)
Date of decision : 23.10.2024

Sunil Kumar and another

.....Petitioners

V/S

State of Punjab and others

....Respondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Varinder Singh, Advocate for
Mr. Sameer Sachdeva, Advocate
for the petitioners.

Mr. Teevar Sharma, AAG, Punjab.

Mr. Divyansh, Advocate for
Mr. H.S. Batth, Advocate
for respondent No.3.

Mr. R.S. Cheema, Advocate for
for respondents No.4 & 5.

NAMIT KUMAR, J. (ORAL)

1. Prayer in this writ petition filed by the petitioner under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to absorb the petitioners permanently against already sanctioned grant-in-aid posts of Sweeper/Peon in lieu of compassionate appointment granted to the petitioners against the same very sanctioned grant in aid posts held by the deceased, father of the petitioners, with all consequential benefits/interest and also grant them the minimum pay scale.



2. Learned counsel for the parties are ad idem that the dispute being inter se the Management and the employee-petitioners, falls within the jurisdiction of the Educational Tribunal in terms of Section 7-A of the Punjab Affiliated Colleges (Security of Service) Act, 1974, therefore, the same may be transferred to the Tribunal for adjudication.
3. In view of the above and without commenting on merits of the case, the present petition is ordered to be transferred to the Educational Tribunal, Punjab having the jurisdiction. Parties are directed to appear before the Tribunal on 24.11.2024.
4. Registry is directed to send the record of this case to the Tribunal forthwith.
5. Pending application, if any, shall stands disposed of accordingly

23.10.2024

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(NAMIT KUMAR)

JUDGE

Whether speaking/reasoned:

Whether Reportable:

Yes/No

Yes/No