

Date of decision : 16.01.2024

Petitioner

V/S

Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Mr. Arun Gupta, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India for quashing of order dated 10.12.2018 (Annexure P-12) passed by respondent No.2 vide which the services of the petitioner have been terminated.

2. No one was present on behalf of the petitioner on the last date of hearing. Even today, the position is the same.

3. Learned counsel for the respondents submit that the instant writ petition is not maintainable before this Court and the remedy lies with the Education Tribunal, Punjab. In support of his submission learned counsel for the respondents has placed reliance upon the judgments passed by this Court in ***Surinder Krishan Sharma Vs. State of Punjab and others : 2019(4) S.C.T. 30*** and ***CWP No.25942 of 2012***

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titled as ‘Suresh Sharma Vs. State of Punjab and others’ decided on 11.04.2019.

4. I have heard learned counsel for the respondents and perused the relevant documents.

5. In the present case, the grievance of the petitioner fall under the ambit of cases having dispute qua the educational institutions viz a viz Managing Committee and their employees as per Punjab Affiliated Colleges (Security of Service of Employees) Act, 1974. Therefor, the Educational Tribunal will have the jurisdiction to decide all such disputes.

6. Accordingly, the petitioner is relegated to the jurisdiction of Educational Tribunal for the redressel of his grievances. The record of the present writ petition be sent to the Educational Tribunal for passing appropriate orders.

7. Parties are directed to appear before the Educational Tribunal on 19.02.2024.

8. The present writ petition stands disposed of in above terms.

16.01.2024

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No