



**110+282 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CM-4690-CWP-2024 in/and
CWP-21338 of 2023
Date of Decision : 15-10-2024**

**RSD COLLEGEPetitioner
VERSUS**

STATE OF PUNJAB AND OTHERSRespondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sameer Sachdeva, Advocate for the petitioner.

Mr. Arun Gupta, DAG Punjab.

Mr. Akshay K. Goyal, Advocate for respondent Nos.3 and 4.

HARSIMRAN SINGH SETHI, J. (Oral)

CM-4690-CWP-2024

Learned counsel for the applicant-petitioner submits that the present application seeking the modification of the order dated 21.05.2024 may kindly be disposed of as having been not pressed any further with liberty to file an appropriate application for review of the said order.

Ordered accordingly.

CWP-21338 of 2023

In the present petition, the grievance of the petitioner-College is that they had closed certain courses so as to terminate the employee after seeking approval of the respondent-University, to which they did not agree, but rather asked the College to reinstate the said employees, thereby transgressing their authority.

Learned counsel for the petitioner further submits that the University has assumed the Role of the Educational Tribunal, which is not permissible.

Learned counsel appearing on behalf of the University and the private-respondents states that without availing the remedy before the Educational Tribunal, the present petition has been filed and in case, only the allegation of the petitioner is that only the Educational Tribunal can decide the issue with regard to the closure of the certain courses so as to terminate the services of the employee, the petitioner should approach the Educational Tribunal rather than filing the present petition.

Learned counsel for the petitioner submits that he has no objection in case, the matter is sent before the Educational Tribunal for passing appropriate order and as the pleadings in the present petition are complete, the present paperbook be sent to the Educational Tribunal so that the issue raised therein could be decided expeditiously and no time is wasted the time in completing the pleadings again, which will serve no purpose.

Keeping in view of above, the petitioners are relegated to avail the remedy before the Educational Tribunal, Punjab.

The Registry is directed to send the present paperbook to the Educational Tribunal, Punjab for adjudicating the issue raised therein.

The parties are directed to appear before the Educational Tribunal on 05.11.2024.

Pending application, if any, also stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

15-10-2024
Sapna Goyal

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO