



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

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**CWP-33629-2024 (O&M)
Date of decision : 13.12.2024**

RSD COLLEGE, FEROZPUR CITY

..... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mrs. Ritam Aggarwal, Advocate
for the petitioner.

Mr. R. L. Gupta, Advocate
for the respondent-caveators.

Harsimran Singh Sethi, J. (Oral)

In the present petition, the challenge is to the order dated 05.11.2024 passed by learned Educational Tribunal Punjab S.A.S.Nagar, Mohali in Contempt Petition No.115/2024, copy of which has been appended as Annexure P-11.

Learned counsel for the petitioner argues that without deciding the main issue, a direction has been issued to pay the salary.

Learned counsel for the petitioner submits that though the salary has been directed to be paid subject to the final outcome of the petition but, as the respondents-employees are not discharging any duties, though they are in service, the salaries were not liable to be paid.

Learned counsel appearing on behalf of the respondents-employees who have filed a caveat, submits that the Tribunal has passed an order on 09.11.2023 on the petition filed by the caveators that they should be allowed to continue in service and once they are in service, they are entitled for salary though,



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by the impugned order dated 05.11.2024 (Annexure P-11), the payment of the said salary has been made subject to the final outcome of the petition.

Learned counsel for the caveators-respondents submits that once the respondents are the employees of the petitioner's institution, they have to be paid, which direction has been issued and therefore, petition filed by the petitioner is liable to be rejected.

At this stage, learned counsel for the petitioner submits that the salary admissible to the respondents-employees will be paid subject to the outcome of the petition but the Tribunal be directed to decide the *lis* between the parties in a time bound manner so that, whosoever is prejudice, can avail appropriate remedy.

Learned counsel for the caveators-respondents raises no objection.

Keeping in view the above, as undertaken by learned counsel for the petitioner, the salary admissible to the respondents-employees will be released within a period of two weeks from today which will be subject to the outcome of the petition filed by them as termed in the impugned order.

Further, the Tribunal is requested to decide the petition filed by the caveators within a period of two months from the next date of hearing so that, the college is not made to pay the salary to the employees without availing their services for a longer period, which will cause financial distress to the college also.

The present petition is disposed of in the above terms.

13.12.2024
Rimpal

(HARSIMRAN SINGH SETHI)
JUDGE

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