



224

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-4182-2021 (O&M)

Date of Decision : 18-10-2024

KHALSA COLLEGE AND ORS

.....Petitioner(s)

VERSUS

STATE OF PUNJAB AND ORS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ashish Kaushik, Advocate and
Mr. Vikram Singh, Advocate for
Mr. A.P.S Sandhu, Advocate
for the petitioners.

Mr. Arun Gupta, DAG Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, the challenge is to the order passed by the Government by which, the permission has been declined to Managing Institute so as to terminate the services of the private respondents.

Learned counsel appearing on behalf of the respondents raises preliminary objection qua the maintainability of the present petition before this Court on the ground that as per the judgment of Division Bench in “CR No.4315 of 2012 titled “*Management of S.D Model Senior Secondary School and anr. Vs. District Judge-cum-Service Tribunal and anr.*”, decided on 27.11.2013, wherein all the dispute between an employee and the Management lies before the Educational Tribunal hence, the petitioners should approach the Educational Tribunal.

Learned counsel for the petitioners has not been able to rebut the said fact that keeping in view the facts and circumstances of the present case, the jurisdiction to entertain the grievance being raised by the petitioners lies before the Educational Tribunal.

Learned counsel for the petitioners submits as the pleadings in the present petition are complete, in order to save the time for adjudication, so as to complete the proceedings, let the paperbook of this petition be sent to the Educational Tribunal for passing an appropriate order keeping in view the grievance raised therein.

Learned counsel for the respondent raises no objection.

Keeping in view the above, the present petition is disposed of with the direction relegating the petitioners to the remedy before the Educational Tribunal, Punjab.

As prayed for by the parties concerned, Registry is directed to send the paperbook of this petition to the Educational Tribunal, Punjab for passing an appropriate order on the claim raised by the petitioners on the claim raised therein.

Let the parties appear before the Educational Tribunal, Punjab on 06.11.2024.

Ordered accordingly.

Pending application, if any, also stands disposed of.

18-10-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

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