



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1

CWP-17606-2005(O&M)
Date of Decision : October 28, 2025

VIJAY PAL SOOD

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

2

CWP-4285-2005

GURDEV SINGH MANN AND ORS

.....Petitioners

VERSUS

STATE OF PB. AND ORS.

.....Respondents

3

CWP-13847-2004

SARUP SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND ORS.

.....Respondents

4

CWP-16575-2007

M L KAUSHAL AND ORS.

.....Petitioners

VERSUS

CHANDIGARH ADMINISTRATION AND ORS.

.....Respondents

5

CWP-19425-2008

SHAVINDER SINGH SIDHU AND ORS.

.....Petitioners

VERSUS

CWP-17606-2005

-2-

STATE OF PUNJAB AND ORS.

.....Respondents

6

CWP-16580-2007

B K GUPTA AND ORS.

.....Petitioners

VERSUS

CHANDIGARH ADMINISTRATION AND ORS.

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present : Mr. Punit Jindal, Sr. Advocate assisted by
Mr. Akshay Jindal, Advocate and
Mr. Rohit Sharma, Advocate for the petitioners.

Mr. R.S.Bajaj, Advocate for the petitioner
in CWP-13847-2004.

Mr. Rajiv Verma, Addl. AG, Punjab.

Ms. Madhu Dayal, Advocate for UT, Chandigarh.

Ms. Rishu Bajaj, Advocate for respondents No.3 and 4
in CWP-4285-2005.

Mr. M.S.Virk, Advocate for respondent No.4.

Mr. Rajesh Hooda, Advocate for respondent No.6
in CWP-13847-2004.

SANDEEP MOUDGIL, J. (Oral)

1. A preliminary objection has been taken by the learned counsel appearing on behalf of the respondents asserting that there is an alternate efficacious remedy available in the cause of action as has been mentioned in the instant petition in view of the amendment in the Punjab Affiliated Colleges (Security of Service of Employee) Act, 1974 i.e. to approach the Educational Tribunal, Punjab for redressal of their grievance.

2. They also placed reliance upon a judgment of this Court passed in CWP No.25942 of 2012 titled as “**Suresh Sharma Vs. State of Punjab and others**”, decided on 11.04.2019, which was upheld in LPA No.892 of 2019 titled as “**Surinder Krishan Sharma Vs. State of Punjab and others**”, decided on 09.05.2019.

3. In the matter of CWP No. 16575 of 2007 (M.L. Kaushal and others vs. Chandigarh Administration and others) and CWP No. 16580 of 2007 (B.K. Gupta and others vs. Chandigarh Administration and others), It is further noted that, in terms of Notification No. 911-DPI-UT-A4(24)/2012/3801 dated 20th May, 2013, issued by the Education Department, Chandigarh Administration, and in compliance with the directions of the Hon’ble Supreme Court in T.M.A. Pai Foundation and others vs. State of Karnataka, (2002) 8 SCC 481, the Administrator, Union Territory, Chandigarh, has authorized the First Additional District and Sessions Judge, Chandigarh, to exercise the powers of the Educational Tribunal for hearing appeals and adjudicating disputes between the Management and Staff of Recognized Private Schools (Aided/Unaided), Private Colleges, and Private Universities in the Union Territory of Chandigarh, till a specialized Tribunal is constituted on a permanent basis.

4. Faced with above situation, the learned counsel appearing on behalf of the petitioners has no objection in case the petitioners are relegated to avail the remedy before the Educational Tribunal, Punjab as well Chandigarh.

5. Accordingly in the light of the above circumstances as has been emerged during the course of hearing today and the objection raised by the

learned counsel for the respondents, the present petition is disposed of with a liberty to the petitioners to avail alternate remedy before the Educational Tribunal, Punjab and petitions filed involving the UT Administration shall be taken up and adjudicated by the First Additional District and Sessions Judge, Chandigarh, who shall exercise the powers of the Educational Tribunal in accordance with the aforesaid Notification dated 20.05.2013. A paper book of the present petition be also sent to the Educational Tribunal, Punjab and Chandigarh to continue with the aforesaid proceedings on the claim made by the petitioners. The parties are directed to appear before the Educational Tribunal, Punjab and Chandigarh on 12.11.2025.

6. All pending application(s), if any, also stand disposed of accordingly.

October 28, 2025

ajaysharma

(SANDEEP MOUDGIL)

JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No