



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(249)

CWP No. 16826 of 2018 (O&M)

Date of Decision : 24.03.2025

Dheer Singh

...Petitioner

Versus

Presiding Officer, Industrial Tribunal-cum-Labour Court, Panipat and
another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Diwan S. Adlakha, Advocate for the petitioner.

Mr. Sachin Kalia, Advocate for

Mr. R.S. Cheema, Advocate for respondent No. 2.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the challenge is to the Award dated 16.04.2018 (Annexure P-3) passed by the Labour Court by which the claim of the petitioner has been held to be non-maintainable on the ground that the petitioner is working in an Educational Institution and has to approach the Educational Tribunal and not the Labour Court.

2. Learned counsel for the petitioner submits that the issue raised in the present petition has already been decided by the Division Bench of this Court in LPA No. 1908 of 2018 titled as ***Savitri Devi Vs. Presiding Officer, Industrial Tribunal-cum-Labour Court and others***, decided on 12.09.2024 hence, the present petition be also disposed of in the same terms.

3. Learned counsel for respondent No. 2 has not been able to dispute the said fact.



4. Keeping in view the totality of the circumstances and the law settled by the Division Bench of this Court in *Savitri Devi's case (supra)*, the order dated 16.04.2018 (Annexure P-3) passed by the Tribunal cannot be sustained and is accordingly set-aside. The Tribunal is directed to decide the lis between the parties on merits.

5. Parties are directed to appear before the Tribunal on 15.04.2025.

6. Present petition is disposed of in above terms.

7. Pending miscellaneous application, if any, also stands disposed of.

March 24, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No