

CWP-13235 of 2001 (O&M)

2026.PHHC.041603



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

CWP-13235 of 2001 (O&M)

Date of decision: 17.03.2026

Raksha Sharma (since deceased) through her legal representatives
.....Petitioners

versus

State of Punjab and others
.....Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Ravindra Jain, Advocate,
for the petitioners.

Mr. Charanpreet Singh, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for quashing the action of the respondents whereby recovery is being sought to be made from the petitioner on the ground that her pay scale was wrongly fixed by the authorities. Further prayer has been made for directing the respondents to release the salary of the petitioner as per the pay scale fixed on the completion of 18 years of her service and to refund the amount deducted from her salary with 18% interest.

2. Learned counsel for the parties are *ad idem* that the dispute being *inter se* the management and the employee-petitioner, falls within the jurisdiction of the Educational Tribunal in terms of Section 7-A of the Punjab Affiliated Colleges (Security of Service) Act, 1974, therefore, the same may be transferred to the Tribunal for adjudication.

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3. In view of the above and without commenting on merits of the case, the present petition is ordered to be transferred to the Educational Tribunal, Punjab, having the jurisdiction.

4. Parties are directed to appear before the Tribunal on 30.03.2026. The learned Tribunal is requested to expedite the matter as the matter is pending since 2001.

5. Registry is directed to send the record of this case to the Tribunal forthwith.

6. Pending application(s), if any, also stands disposed of.

17.03.2026
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No