

2026.PHHC.080720



137.

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

**CM-8722-CWP-2026 &
CWP-8096-2026**

Date of decision: 21.05.2026

Dr. Gurnam Singh

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Nitin Verma, Advocate, for
Mr. Surinder Thakur, Advocate, for the applicant-petitioner.
Mr. Charanpreet Singh, AAG, Punjab.
Mr. M.K. Dogra, Advocate, for respondents No.2 and 3.
Mr. Sameer Sachdeva, Advocate, for respondents No.4 and 5.
None for respondent No.6.

NAMIT KUMAR, J. (ORAL)

CM-8722-CWP-2026

This application has been filed by the applicant-petitioner for transferring the matter to the Educational Tribunal as similar petition bearing No.82/2026 is pending before the Tribunal for 27.07.2026.

Notice in the application.

Mr. Charanpreet Singh, AAG, Punjab, accepts notice on behalf of respondent No.1; Mr. M.K. Dogra, Advocate, accepts on behalf of respondents No.2 and 3; and Mr. Sameer Sachdeva, Advocate, accepts on behalf of respondents No.4 and 5 and they have no objection to the prayer made in the application.

Consequently, the application is allowed.

With the consent of counsel for the parties, the main case, which is fixed for hearing on 04.11.2026, is preponed and taken up for hearing today itself.

CWP-8096-2026

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of directions to the respondents for quashing the impugned order/letter No.796-799/Colleges dated 26.02.2026 (Annexure P-12), issued by the respondent No.2-University, whereby in total non-application of mind and on totally wrong and absurd notions, by way of open discrimination and adopting altogether different yardsticks, instead of allowing the petitioner to continue on directly recruited govt. aided post of Principal since 2016 at Sant Baba Dalip Singh Memorial Khalsa College, Domeli, Distt. Kapurthala upto his attaining the age of superannuation (60 years) i.e. 28.02.2027, in accordance with applicable Rules and Regulations and on parity with the other similar situated incumbents who are allowed same benefits, the petitioner has been directed to re-join his parent organisation/college as Professor where he was serving before he was appointed as Principal, particularly when the petitioner had already resigned in 2016 from the said college and his resignation has been duly accepted and his lien has been terminated in the said college as per letter of the said college dated 27.02.2026 (Annexure P-13). Further for issuance of directions to the respondents to forthwith grant extension in

service from 01.03.2026 to 28.02.2027 to the petitioner allowing him to complete his remaining one year service upto his attaining statutory age of superannuation of 60 years on the post of Principal at Respondents No.4-5, in accordance with applicable Rules and Regulations, on parity with the other similar situated incumbents and grant all consequential benefits.

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.

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 27.07.2026.

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

(NAMIT KUMAR)
JUDGE

21.05.2026
sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No