



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

126

CWP-12352-2026

Date of Decision: 23.04.2026

**AMITA SHARMA AND ANOTHER****...Petitioner(s)****Versus****STATE OF HARYANA AND OTHERS****...Respondent(s)****CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present:- Mr. Rajesh Sharma, Advocate  
for the petitioners.

Mr. Aakash Singla, Additional Advocate General, Haryana.

**TRIBHUVAN DAHIYA, J. (Oral)**

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the orders dated 03.04.2026, Annexure P-12, issued by the fourth respondent/Additional Deputy Commissioner-cum-Administrator, K. M. Public School, which is run by a private educational Society/Trust, whereby the petitioners have been directed to refund the amount of salary and allowances wrongfully drawn by them.

2. Learned counsel contended that the salary and allowances were drawn by the petitioners pursuant to their regular appointments by the School run by a private educational Society - K. M. Public School Management Society. They discharged their duties to the satisfaction of the authorities. The Additional Deputy Commissioner-cum-Administrator has recently been given charge of the School, vide memo dated 23.02.2026, Annexure P-6, and has

proceeded to arbitrarily pass the impugned order which lacks legal foundation. Besides, even the Principles of Natural Justice have not been adhered to.

3. This Court is not inclined to examine the petition on merits since the impugned orders have been passed by the Administrator of a private school, and against any service dispute with the private Management the petitioners have alternative efficacious remedy to approach the Educational Tribunal concerned which has been constituted vide Haryana Government Higher Education Department Notification, dated 02.03.2015, for redressal of grievances of the employees working in aided/unaided educational institutions. The law in this regard has already been settled by Division Bench of this Court in *Management of S. D. Model Senior Secondary School and another v. District Judge-cum-Service Tribunal and another*, 2014 (13) RCR (Civil) 328. Besides, as already held by this Court, merely because an Administrator has been appointed to manage the affairs of a private school on temporary basis, the Educational Society does not lose its character as a private entity.

4. In view thereof, the petition is disposed of, relegating the petitioners to the Educational Tribunal concerned. In case an application seeking interim relief is filed by the petitioners before the Tribunal, the same will be decided expeditiously, preferably within four weeks.

(TRIBHUVAN DAHIYA)  
JUDGE

23.04.2026  
Ad

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |