

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 321/2025

1. Marwar Sewa Sansthan, Koselav, District Pali (Raj.)
Through Its Secretary.
2. Principal, Marudhar Public Senior Sec. School, Koselav,
Tehsil Sumerpur, District Pali (Raj.).

-----Petitioners

Versus

Kailash Kumar Lohar S/o Shri Dunga Ram Lohar, Resident Of
Balan Road, Post Khivandi, Tehsil Sumerpur, District Pali (Raj.).

-----Respondent

For Petitioner(s) : Mr. Varda Ram Chowdhary

HON'BLE DR. JUSTICE NUPUR BHATI
Order

09/01/2025

Learned counsel for the petitioner submits that the learned Tribunal has exceeded his jurisdiction beyond the provisions of law, inasmuch as the respondent-employee does not fall within the definition as prescribed under Section 2(ii) of the Payment of Wages Act, 1936. He further submits that the applicant was an employee in a Non-governmental Education Institute and therefore, the remedy available to him is before the Non-Government Education Tribunal.

Issue notice to the respondents. Issue notice of stay application also. Rule is made returnable in four weeks.

In the meanwhile and till next date, further proceedings in Case No.PWA/06/2020 pending before the Prescribed Authority, Payment of Wages Act, 1936, Pali shall remain stayed.

(DR. NUPUR BHATI),J