

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

CWP No.3297 of 2016

Date of decision:18.2.2016

Jagtar Singh & ors.

... Petitioners

Versus

State of Punjab & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Vineet Sehgal, Advocate,
for the petitioners.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J. (Oral)

1. The petitioners complain in this petition filed under Article 226 of the Constitution that the Municipal Council, Malout, where they work on different posts, have not been depositing subscriptions to their peril and the respondents are statutorily obliged to credit the provident fund subscriptions deducted from their salaries with matching amounts of employers's share deposited in the Provident Fund Account maintained under the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 which is their financial security for the future.

2. Be that as it may, there is adequate alternative remedy provided by the machinery under the 1952 Act to redress situations as are raised in this petition. Though there is no bar in exercising writ jurisdiction but it is prudent to first call upon the aggrieved parties to

approach the appropriate forum and the designated authorities for compelling compliances of the law to secure the monetary benefits from where their alternative remedy effectively lies to claim the relief which implementation machinery is both speedy and efficacious to cure the mischief complained of including punitive measures against defaults.

3. For these reasons, I would refuse to entertain this petition at the threshold and would on the other hand rather relegate the petitioners to their wholesome and effective remedy available under the special Act.

Dismissed.

18.2.2016
monika

(RAJIV NARAIN RAINA)
JUDGE