

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 544 of 2019**

Shoeb Qazi S/o Shri G. A. Qazi Aged About 33 Years Working As Assistant Labour Commissioner Near Collectorate Office, Kutcheri Chowk, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Principal Secretary, Department Of Labour Mahanadi Bhawan, Mantralaya, Atal Nagar, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Labour Commissioner Department Of Labour, 2nd Floor, Indrawati Bhawan, Atal Nagar District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Internal Complaint Committee Headed By Smt. Savita Mishra (Deputy Labour Commissioner), Office Of The Labour Commissioner, Indrawati Bhawan, Atal Nagar, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
4. Smt. Savita Mishra Working As Deputy Labour Commissioner, Office Of The Labour Commissioner, Indrawati Bhawan, Atal Nagar, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
5. Smt. Priya Namdev Accountant (Placement), Chuna Bhatti, Raman Manidr Ward No. 21 Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Arvind Dubey, Advocate
For State	:	Mr. A. N. Bhakta, Dy. AG

Hon'ble Shri Justice P. Sam Koshy**Order on Board****30/01/2019**

1. The present writ petition has been filed against the recommendation (Annexure P-1) dated 04/01/2019 passed by the Internal Complaint Committee constituted in the department. The challenge is on the ground that the said Committee does not have any jurisdiction.
2. According to the petitioner the said order in addition of it being without jurisdiction is also not sustainable for the reason that there is already another enquiry which is being conducted by the Separate Local Committee, where the notices have already been issued to the

petitioner and before whom the petitioner also appeared. This Court at this juncture taking note of the provisions of the Sexual Harassment of Women at workplace (Prevention, Prohibition & Redressal) Act, 2013 is that the petitioner has efficacious alternative remedy of appeal under Section 18 against the impugned recommendation.

3. Grounds of jurisdiction as also parallel enquiry would also be permissible for the petitioner to be raised before the appellate authority. Reserving the right of the petitioner to avail remedy of appeal, this Court at this juncture is of the opinion that writ petition at this juncture is premature and accordingly fails.

Sd/-
(P. Sam Koshy)
Judge

Rohit