

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

**CWP No.8498 of 2019
Decided on : 29.03.2019**

Rita Saharan

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. D.R. Sharma, Advocate
for the petitioner.

G.S. Sandhawalia, J. (Oral)

The challenge in the present writ petition filed under Article 226/227 of the Constitution of India is to the termination order dated 07.03.2019 (Annexure P-1) passed by respondent No.4-Gretis India Private Limited.

The appointment order dated 16.06.2017 (Annexure P-3) would go on to show that the appointment was subject to various conditions and the petitioner has to remain on probation also. The petitioner has already served a demand notice dated 11.12.2018 (Annexure P-8) under Section 2A of the Industrial Dispute Act, 1948 upon the said company, apart from respondent No.2 where she is stated to be deputed. The petitioner was, thereafter, taken back in service on 29.12.2018 (Annexure P-10).

A perusal of the complaint dated 27.11.2018 (Annexure P-7) would go on to show the petitioner's dispute and the complaint as such had been withdrawn on 01.01.2019 (Annexure P-11). The petitioner has also taken the matter to the Punjab State Human Rights Commission.

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It is, thus, obvious that the petitioner is an employee of a private limited company and, therefore, the present writ petition is not maintainable, as the dispute is qua the terms and contract of service and the said respondent is not State.

Accordingly, the present writ petition is dismissed as not maintainable. It is always open to the petitioner to seek her remedy in accordance with law before the competent forum.

MARCH 29, 2019

Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No