

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

CWP No.10804 of 2022

DATE OF DECISION: 20.05.2022

Rajbala

...Petitioner

Versus

Principal Chief Conservator and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Ms. Veena Hooda, Advocate,
for the petitioner.

Mr. Pankaj Middha, Addl. AG, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of writ in the nature of mandamus directing the respondents to allow the petitioner to be continued on her post and respondents be restrained from replacing her by another contractual employee.

2. Petitioner was appointed as Beldar-cum-Mali on contractual basis. She worked there from 20.08.1994 to 18.03.2003 and thereafter from 15.04.2003 to 20.04.2017. On 21.12.2017 when she reported for duty she was not allowed to join and as such her services were abruptly terminated. She approached Industrial Tribunal-cum-Labour Court, Hisar in the year 2018 which is pending since then. She also served legal notice dated 11.04.2022 (Annexure P-3) to this effect but to no vain. Hence, the writ petition.

3. I have heard learned counsel for the parties and perused the case file.

4. The nature of relief sought by the petitioner cannot be granted in the extraordinary writ jurisdiction unless her rights qua the same are first determined by the Labour Court, which, as it transpires, is already seized of the matter.

5. Accordingly, the writ petition is disposed of with a request to the Industrial Tribunal-cum-Labour Court to dispose of the case of petitioner pending before it, as expeditiously as possible, without granting unnecessary adjournments.

6. Since the case before the Industrial Tribunal-cum-Labour Court, Hisar was filed in the year 2018 and being already four years, it is expected that the same will be disposed of within this year itself.

MAY 20, 2022
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No