

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

CWP-20909-2022 (O&M)
Date of Decision: 14.09.2022

Usha Rani	Versus	Petitioner
State of Haryana and another		...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

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

Mr. Pankaj Middha, Addl.A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Mandamus for directing the respondents to allow the petitioner to be continue on her post and respondents be restrained from replacing her by another contractual employee.

2. Pledged case is that petitioner was appointed as Beldar-cum-Mali on contractual basis. She worked there from the year 1994 to 25.12.2017. On 26.12.2017 when she reported for duty she was not allowed to join and her services were instead abruptly terminated. She approached Industrial Tribunal-cum-Labour Court, Hisar in the year 2018 and the matter is sub judice since then without any final outcome. 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 6-9 months.

(ARUN MONGA)
JUDGE

September 14, 2022
ashish

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No