

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

CWP No.25679 of 2022

DATE OF DECISION : 11.11.2022

Dr. Neelam Rani

...Petitioner

versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Mohit Bishnoi, Advocate,
for the petitioner.

Mr. Pankaj Middha, Addl. AG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondents to take stringent action against respondent No.5, in accordance with The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

2. It is the pleaded case of the petitioner that she is posted as Incharge of Government Veterinary Hospital, Manawali as Veterinary Surgeon. Respondent No.5 is her junior. He is in the habit of using abusive and filthy language at work place. Petitioner moved an application dated 30.12.2019 (Annexure P-2) for taking action against respondent No.5 but no action was taken. Pursuant to her application dated 20.02.2020 (Annexure P-3) moved before Principal Secretary, an enquiry was marked wherein petitioner was held responsible for not producing any evidence or witness. Petitioner again moved an application dated 24.07.2020 (Annexure P-6) seeking action against respondent No.5. She also moved another application dated 15.09.2020 (Annexure P-7) whereas no action was taken.

3. Petitioner also submitted representation dated 20.09.2022 (Annexure P-8) but the same has also not been adverted till date. Hence, the present petition.

4. Given the nature of order being passed, there is no necessity to seek return from any of the respondents as no further proceedings and/or pleadings are required.

5. Learned counsel for the petitioner contends that petitioner was sexually harassed by respondent No.5 and respondents No.2 to 4 have deliberately and intentionally neglected to take any stringent action against respondent No.5. He further submits that sexual harassment at workplace is not only an offence but also a violation of Articles 14, 15 and 21 of the Constitution of India.

5. Heard.

6. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 is a comprehensive legislation to provide for safe, secure and enabling environment to every woman, irrespective of her age or employment status and it also lays down a statutory redressal mechanism. Petitioner has got alternative and efficacious remedy under the said Act. In the premise, this Court, therefore, refrains to directly entertain the writ petition under extraordinary writ jurisdiction *qua* the averments made in this petition.

7. Dismissed with liberty to the petitioner to avail her remedy in accordance with law as aforesaid.

NOVEMBER 11, 2022
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No