

2023:PHHC:151310
121 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CWP-24039-2023
Date of decision: 29.11.2023
GOLDY

...Petitioner

V/s

THE MANAGING DIRECTOR AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. D.K. Prajapati, Advocate
for the petitioner.

Mr. Saurav Verma, Advocate with
Mr. Akash Soni, Advocate and
Ms. Preeti Grover, Advocate
for the respondent-Bank.

JAGMOHAN BANSAL J. (ORAL)

1. The petitioner, in the instant petition is seeking setting aside of the impugned order dated 28.07.2023 (Annexure P-10), whereby the respondent-Bank has rejected claim of the petitioner for regularization of his services on the post of Sweeper.

2. Learned counsel for the petitioner inter alia contends that by impugned order dated 28.07.2023, the respondent-Bank has rejected claim of the petitioner with respect to appointment on the post of Sweeper. The petitioner claimed regularization of his services and respondent has denied even the fact of appointment of the petitioner during the year 2015-2022 on contract basis. Petitioner has placed on record documents, certificates issued by the bank, which prima facie confirm the payment of salary as well as status of petitioner as Sweeper with respondent-Bank.

3. Counsel for the respondent-Bank submits that the petitioner was never appointed either as regular employee or against a regular post.

4. I have heard learned counsel for the parties and perused the record.
5. The case of the petitioner is that he was working on contract basis but the respondents are disputing appointment of the petitioner on contract basis. These questions are disputed questions of fact and petitioner has an alternative remedy to approach Labour Court for redressal of his grievances.
6. Faced with this, counsel for the petitioner prays for withdrawal of the present petition with liberty to avail remedies as permissible by law.
7. The present petition stands dismissed as withdrawn with liberty as aforesaid.

(JAGMOHAN BANSAL)
JUDGE

29.11.2023

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No