



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-7210-2019 (O&M)

Date of decision :25.11.2024

Rupinder Kaur

.....Petitioner

VERSUS

Managing Director Markfed and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Anmol Jeevan Singh Gill, Advocate
for the petitioner.

Mr. Mrigank Sharma, Advocate for
Mr. P.K. Sekhon, Advocate for respondents No.1 and 2.

Mr. Navkiran Singh, Advocate for
Ms. Harpreet Kaur, Advocate for respondent No.3.

NAMIT KUMAR, J. (ORAL)

1. The instant petition has been filed by the petitioner claiming the following reliefs:

“i) Issue a writ in the nature of *CERTIORARI* quashing the inquiry report (**Annexure P-3**) submitted by the Internal Complaints Committee of the respondent department formed under Section 4 (1) of the Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013 which has completely ignored the evidence brought on record and the findings given therein are totally illegal and perverse and further direct the respondent no.2. to expeditiously investigate into the complaint of the petitioner and register a case against the accused/respondent no.3.

ii) Further quashing the order dated 08.03.2019 (**Annexure P-4**) pending the accused/respondent no.3 has been reinstated and stay the operation of the impugned



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order during the pendency of present petition.

2. Notion of motion was issued on 02.04.2019 and in the written statement filed by respondent No.3, it has been stated that the present petition is not maintainable as the petitioner has an alternative remedy of appeal under Section 18 of 2013, Act.

3. Faced with this situation, learned counsel for the petitioner wishes to withdraw the present petition with liberty to file an appeal before the Appellate Authority, under Section 18 of 2013, Act.

4. If the appeal is preferred by the petitioner within a period of 30 days, the same shall be considered and decided by the Appellate Authority on merits without raising the issue of delay as the matter remained pending before this Court.

5. The present petition is disposed of with the aforesaid liberty.

6. Pending applications, if any, also stand disposed of.

(NAMIT KUMAR)
JUDGE

25.11.2024

Nisha-I

Whether speaking/reasoned
Whether reportable

Yes
No