

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CWP-14664-2021
Date of Decision: 28.02.2024

Narsi Ram ...Petitioner

Versus

SBI Life Insurance Company Ltd. and others ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Akash Manocha, Advocate and
Mr. Hitesh Verma, Advocate for
Mr. Gourave Bhayyia, Advocate for the petitioner
Mr. Rajneesh Malhotra, Advocate and
Ms. Manvi Verma, Advocate for respondent Nos.1 to 4

JAGMOHAN BANSAL, J. (Oral)

1. On 21.02.2024, the following order was passed:-

“As per the respondents, the petitioner has approached Labour Court, thus, the present petition is not maintainable.

Learned counsel for the petitioner seeks time to ascertain the factual position.

Adjourned to 28.02.2024.

To be shown in the urgent list.”

2. Mr. Akash Manocha, Advocate submits that he has no instruction from his client, however, Mr. Rajneesh Malhotra, Advocate submits that respondent has received notice from Assistant Labour Commissioner, Hisar, thus, there is no question of second opinion to the effect that petitioner has

approached Labour Court for the same relief which he is seeking from this Court. The petitioner cannot simultaneously avail two remedies.

3. The notice issued by Assistant Labour Commissioner as well as application of the petitioner produced by Mr. Malhotra, during the course of hearing, indicates that the petitioner has approached Labour Court for the redressal of his grievances. The petitioner is disputing the said fact. It is an undisputed fact that petitioner has remedy to approach Industrial Labour Tribunal, thus, if contention of the petitioner is accepted that he has not approached the Labour Court, he has right to approach Labour Court and avail his alternative remedy.

4. In view of above discussion, the present petition is disposed of with a liberty to the petitioner to pursue his remedy before the Court of competent jurisdiction.

(JAGMOHAN BANSAL)
JUDGE

28.02.2024
Mohit Kumar

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