



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

**CWP-12727-2024 (O&M)
DECIDED ON: 28.05.2024**

**TRIVENI MEDIA MARKETING SERVICES PVT. LTD.
.....PETITIONER
VERSUS**

**ASSTT. LABOUR COMMISSIONER CUM COMMISSIONER
FOR WORKMAN COMPENSATION FAZILKA AND ANR
.....RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Nishant Chauhan, Advocate, for the petitioner.

SANJAY VASHISTH, J (ORAL)

1. Petitioner – M/s Triveni Media Marketing Services Private Limited, has filed present writ petition for issuance of a Writ in the nature of Prohibition against Assistant Labour Commissioner-cum-Commissioner for Workman Compensation, Fazilka (respondent No.1).
2. Counsel for the petitioner submits that respondent No.2 – Rajan Malhotra has filed an application under Section 2a of the Industrial Disputes Act, 1947, before learned Assistant Labour Commissioner, Fazilka, and as a consequence thereof, Notice No.K.S.A./2024/399 dated 08.05.2024, has been received by the petitioner – company.
3. Further submits that prior to the said notice dated 08.05.2024, earlier also, notices were received twice by the petitioner, from the office of learned Assistant Labour Commissioner, Fazilka.
4. Counsel for the petitioner further submits that after receiving the said notice, one representation dated 23.01.2024 has already been

forwarded to the office of respondent No.1, through registered post as well as e-mail address, pointing out therein that it has no jurisdiction because *“in terms of Clause 18 of the assignment letter of complainant, this Hon’ble Tribunal has no jurisdiction to entertain the present complaint”*.

5. Further submits that despite, the said intimation along with objection of jurisdiction, learned Assistant Labour Commissioner, Fazilka, is conducting the proceedings in the application filed by respondent No.2, without firstly deciding the issue of jurisdiction.

6. However, counsel for the petitioner admits that the petitioner – company has not appeared personally to place its objection before learned Assistant Labour Commissioner, Fazilka.

Therefore, he be allowed to withdraw the present writ petition, with liberty to appear before learned Assistant Labour Commissioner-cum-Commissioner for Workman Compensation, Fazilka (respondent No.1), and then, to make a request to decide the issue of jurisdiction, at the first instance.

7. Accordingly, present writ petition stands dismissed as withdrawn, with the liberty as sought and recorded here above.

28.05.2024

Lavisha

**(SANJAY VASHISTH)
JUDGE**

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