



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

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CWP-31697-2024

Date of decision: 25.11.2024

ASHWANI KUMAR

....PETITIONER

Vs.

**THE SECRETARY TRANSPORT, CHANDIGARH TRANSPORT
UNDERTAKING, UT, CHANDIGARH AND OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Sandeep Bansal, Advocate
for the petitioner.

Mr. Parminder Singh Kanwar, Advocate and
Mr. Karan Vir Singh, Advocate
for respondent No. 2.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of Award dated 30.05.2024 (Annexure P-1) whereby Labour Court has declined his claim for regularization.
2. Mr. Parminder Singh Kanwar, Advocate, at the outset, submits that Labour Court has no jurisdiction to order regularization of any workman of CTU because as per notification issued by Government of India, the employees of CTU have remedy to approach Central Administrative Tribunal. The jurisdiction of Labour Court was confined to reinstatement with or without back wages. The petitioner in the previous round of litigation was granted said benefit.
3. Faced with this, Mr. Sandeep Bansal, Advocate submits that it is factually correct that petitioner wrongly approached Labour Court which did not dismiss claim of petitioner on the ground of maintainability but on merits.



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In these circumstances, unless and until impugned Award is set-aside, he cannot avail remedy to approach the Central Administrative Tribunal.

4. In the wake of statement of both sides, the petition stands disposed of with the observation that if the petitioner avails remedy as permissible by law, the impugned Award would not come in his way.

25.11.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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