

CM-20645-CWP-2024 in /& -1-
CWP-19893-2024

CM-20646-CWP-2024 in/&
CWP-23067-2024 &

CM-20649-CWP-2024 in /&
CWP-23050-2024 & connected cases

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

113 (1)case + 114 (02 cases) + 272 (04 cases)	CM-20645-CWP-2024 in/& CWP-19893-2024 Date of Decision:13.01.2025
Krishan Ram	...Petitioner

Versus

Presiding Officer, Industrial Tribunal, Patiala and others	Respondents
---	-----------------

	CM-20646-CWP-2024 in/& CWP-23067-2024 &
Harpal Singh	...Petitioner

Versus

Presiding Officer, Industrial Tribunal, Patiala and others	Respondents
---	-----------------

	CM-20649-CWP-2024 in /& CWP-23050-2024
Paramjit Kaur	...Petitioner

Versus

Presiding Officer, Industrial Tribunal, Patiala and others	Respondents
---	-----------------

CWP-12708-2024

Workers Union Class Four, Government Employees Union	...Petitioner
---	---------------

CM-20645-CWP-2024 in /& -2-
CWP-19893-2024

CM-20646-CWP-2024 in/&
CWP-23067-2024 &

CM-20649-CWP-2024 in /&
CWP-23050-2024 & connected cases

Versus

Presiding Officer, Industrial Tribunal, Patiala
and othersRespondents

CWP-12777-2024

Asha Rani ...Petitioner

Versus

Presiding Officer, Industrial Tribunal, Patiala
and othersRespondents

CWP-12788-2024

Manju Pandey ...Petitioner

Versus

Presiding Officer, Industrial Tribunal, Patiala
and othersRespondents

CWP-12812-2024

Shadi Singh ...Petitioner

Versus

Presiding Officer, Industrial Tribunal, Patiala
and othersRespondents



CM-20645-CWP-2024 in /& -3-
CWP-19893-2024

CM-20646-CWP-2024 in/&
CWP-23067-2024 &

CM-20649-CWP-2024 in /&
CWP-23050-2024 & connected cases

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ravi Gakhar, Advocate for the petitioner(s)
in all the writ petitions.

Ms. Akshita Chauhan, DAG, Punjab.

* * *

Harsimran Singh Sethi, J. (Oral)

CMs-20645,20646 & 20649-CWP-2024

Present applications have been filed in the respective petitions for preponment of the date of hearing from 27.03.2025 in the main writ petitions.

Notice of the application to the counsel opposite.

Ms. Akshita Chauhan, DAG, Punjab accepts notice on behalf of respondent-State and raises no objection for the grant of prayer as made in the present application.

Keeping in view the averments made in the applications, applications are allowed. Date of hearing in the respective petitions is preponed and the petitions are taken up for hearing today itself.

Main Cases

1. By this common order, above mentioned writ petitions are being disposed of as all the writ petitions involve the same question of law on similar facts.

2. The petitioners had approached the Labour Court for redressal



CM-20645-CWP-2024 in /&
CWP-19893-2024

-4-

CM-20646-CWP-2024 in/&
CWP-23067-2024 &

CM-20649-CWP-2024 in /&
CWP-23050-2024 & connected cases

of their grievance, which claim has been rejected by the Industrial Tribunal, Patiala by passing the impugned awards on all the writ petitions on the ground that the claim is not maintainable and the petitioners have to approach the Educational Tribunal for redressal of their grievance.

3. Learned counsel for the petitioner(s) submits that the said issue has already attained finality keeping in view the judgment of the Division Bench of this Court in **LPA-1908-2018 titled as Savitri Devi vs. Presiding Officer, Industrial Tribunal-cum-Labour Court and others, decided on 12.09.2024** wherein, it has been held that where an employee has more than one remedy to avail, the remedy, which the employee chooses, has to be given preference.

4. Learned counsel for the respondents has not been able to rebut the fact that keeping in view the judgment of the Division Bench of this Court in **Savitri Devi (supra)**, impugned awards are contrary to the said judgment.

5. I have heard learned counsel for the parties and have gone through the record with their able assistance.

6. Keeping in view the facts and circumstances of the present case as recorded hereinbefore, the issue which has been raised in the present petitions, has already been adjudicated by the Division Bench of this Court in **Savitri Devi (supra)** and it has already held by the Division Bench that where an employee has more than one remedy to get his/her grievance



CM-20645-CWP-2024 in /&
CWP-19893-2024

-5-

CM-20646-CWP-2024 in/&
CWP-23067-2024 &

CM-20649-CWP-2024 in /&
CWP-23050-2024 & connected cases

redressed, the employee can choose the Forum to avail the remedy and in case, the grievance can be addressed under the Industrial Tribunal, Act also, the said remedy cannot be disallowed merely on the ground that employee has another remedy to avail.

7. Learned counsel for the respondents has not been able to rebut the fact that keeping in view the judgment of the Division Bench of this Court in Savitri Devi (supra), the impugned orders are liable to be set aside.

8. Keeping in view the above, present petitions are also disposed of in terms of the order passed by the Division Bench of this Court in the case of Savitri Devi (supra) by setting aside the orders passed by the Tribunal. Parties are directed to appear before the Labour Court on 17.02.2025.

9. Civil Miscellaneous application pending, if any, is also disposed of.

10. A photocopy of this order be placed on the files of connected cases.

January 13, 2025
aarti

(HARSIMRAN SINGH SETHI)
JUDGE

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