



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

298-4

Decided on : 28.04.2025

298 CWP-19080-2024 (O&M)

ASHOK KUMAR

...Petitioner

Versus

PRESIDING OFFICER, INDUSTRIAL TRIBUNAL PATIALA AND ORS
... Respondents

298-2 CWP-22251-2011 (O&M)

BOOTHGARH COOPERATIVE AGRICULTURAL SERVICE SOC. LTD.
...Petitioner

Versus

PRESIDING OFFICER, INDUSTRIAL TRIBUNAL PATIALA AND ANR
... Respondents

298-3 CWP-19160-2024 (O&M)

SHIV RAM

...Petitioner

Versus

PRESIDING OFFICER, INDUSTRIAL TRIBUNAL PATIALA AND ANR
... Respondents

298-4 CWP-26158-2024 (O&M)

MUNISH KUMAR

...Petitioner

Versus

PRESIDING OFFICER, INDUSTRIAL TRIBUNAL PATIALA AND ANR
... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Abhishek K. Premi, Advocate for
the petitioner in CWP-19080-2024 (through VC).

Mr. Jatinder Singh, Advocate for
Mr. H. S. Bedi, Advocate for the petitioner
in CWP-22251-2011.

Mr. Nandan Jindal, Advocate
for respondents No. 2 & 3 in CWP-19080-2024.

Mr. Sanjeev Roy, Advocate for
Mr. I. P. S. Doabia, Advocate



for the respondent No. 2 in CWP-22251-2011.

Mr. Nikhil Batta, Advocate
for the respondent No. 2 in CWP-19160-2024.

HARSIMRAN SINGH SETHI , J. (Oral)

1. Present bunch of four petitions the details of which are mentioned in the heading, involve common point of law and common set of facts, hence, they are being decided together.
2. Learned counsel for the parties are ad-idem to the fact that the issues raised in the present petitions have already been answered by the Hon'ble Division Bench of this Court in LPA No. 1908 of 2018 titled as **'Savitri Devi versus Presiding Officer, Industrial Tribunal-cum-Labour Court and others'** decided on 12.09.2024 according to which, in case the workman has more than one remedy to avail, he/she is free to choose which remedy to avail and the labour court cannot direct that the alternate remedy should be availed by the petitioners rather than the remedy available before the Labour Court.
3. Once the parties are agreeable that the said issue has already been attained finality keeping in view the judgment passed by the Hon'ble Division bench of this Court in **Savitri Devi's case (supra)**, the impugned orders dated 19.03.2024 passed by the Labour Court in CWP Nos. 19080, 19160 and 26158 of 2024 are set-aside and the cases are remanded back to the labour Court to decide the issue between the parties on merit.
4. Further, the impugned award dated 15.09.2011 in CWP No. 22251 of 2011 which has been passed by the Labour Court on merits, in favour of the workman, which has only been assailed by the petitioner-society on the ground that the labour Court did not had the jurisdiction, the



said writ petition i.e. CWP No. 22251 of 2011 is dismissed keeping in view of the judgment passed by Hon'ble Division Bench of this Court in LPA No. 1908 of 2018 titled as **'Savitri Devi versus Presiding Officer, Industrial Tribunal-cum-Labour Court and others'** decided on 12.09.2024.

6. Present petitions are decided accordingly.
7. Pending civil miscellaneous application, if any, stands disposed of.
8. A photocopy of this order be placed on the file of connected case.

**(HARSIMRAN SINGH SETHI)
JUDGE**

28.04.2025

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Whether speaking/reasoned: *Yes/No*

Whether Reportable: *-Yes/No*