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**(2020) 06 SHI CK 0224**  
**In the High Court Of Himachal Pradesh**  
**Case No : CWPOA No. 399 Of 2019**

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|------------------------------------|----|------------|
| Madan Lal                          | Vs | APPELLANT  |
| State Of Himachal Pradesh & Others |    | RESPONDENT |

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**Date of Decision :** 23-06-2020

**Acts Referred:**

**Citation :** (2020) 06 SHI CK 0224

**Hon'ble Judges :** Ajay Mohan Goel, J

**Bench :** Single Bench

**Advocate :** Radhika, Archana Dutt, Sumesh Raj, Dinesh Thakur, Sanjeev Sood, Divya Sood

**Final Decision :** Disposed Of

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## Judgement

Ajay Mohan Goel, J

1. By way of this writ petition, the petitioner has prayed inter alia, for the following relief:

"a. That the services of the applicant be ordered to be regularised from the date of his completion of ten/eight years continuous service with 240 days in each calender year by counting the period of absence due to illness in the year 1999 on his respective post of Beldar in regular pay scale of the post with arrear of pay allowances and consequential benefits."

2. On the last date of hearing, this Court had expressed its reservation with regard to maintainability of the petition, in view of the reliefs prayed for by the petitioner, as apparently he was aggrieved on account of the violations of the provisions of the Industrial Disputes Act by the respondents. This Court was of the view that the appropriate course for the petitioner was to invoke the jurisdiction under the Industrial Disputes Act, which is Procedural and Substantive Act. For this purpose, the matter was adjourned for today.

3. When the case was taken up today, learned counsel for the petitioner fairly

submits that the petitioner be permitted to withdraw this petition, with liberty to invoke the jurisdiction of the concerned Tribunal, for redressal of his grievance.

4. Accordingly, the petition is permitted to be withdrawn, with liberty to the petitioner to approach the learned Industrial Tribunal-cum- Labour Court for redressal of his grievance. In case, the petitioner approaches the learned Tribunal within a period of four weeks from today, this Court hopes and expects that learned Tribunal shall decide his case on or before 31st December, 2020.

Petition stands disposed of, so also pending miscellaneous application(s), if any.