

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil Writ Petition No. 7262/2024

Kailashchandra Mali

-----Petitioner

Versus

Manager

-----Respondent

For Petitioner(s) : Mr. R.S. Saluja through VC
Mr. Achraj Saluja

HON'BLE MS. JUSTICE REKHA BORANA

Order

22/05/2024

1. Learned counsel for the petitioner submits that the learned Tribunal wrongly rejected the claim petition of the workman on the ground of jurisdiction holding that the claim petition ought to have been filed before the Court/Forum governing the jurisdiction of the Union Government. Counsel further submits that in terms of the amended provision of Section 2A of the Industrial Disputes Act, 1947, the workman can directly file the claim petition before the Labour Court or Tribunal and the Tribunal would be under an obligation to decide it, as if, it was an industrial dispute referred to it by the appropriate Government.

2. In view of the submission made, Issue notice.

Notices be filed in two sets within a period of one week. On the same being filed, one set be given '*dasti*' to learned counsel for the petitioner for service through registered post acknowledgment due.

Notices be made returnable on 15.07.2024.

Postal receipts of the '*dasti*' notices be filed within a period of one week from the date of receipt of '*dasti*' notices.

3. Heard on stay petition.

No case for grant of any interim order is made out.

Stay petition is hence, **rejected**.

(REKHA BORANA),J

329-T.Singh/-