

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SHRI JUSTICE J.SREENIVAS RAO

WRIT APPEAL NO: 899 OF 2024

Writ Appeal under clause 15 of the Letters Patent Preferred against the Order dated.10/07/2024 in W.P No. 14234 of 2024 on the file of the High Court.

Between:

K.Satheesh Security and Civil Services, Rep. by its Proprietor Katkam Satish S/o.K.Rajaiah, Age 35 years, Occ.Business, R/o. Kasimpally, Jangedu, Jayashankar Bhupal pally District

...APPELLANT

AND

1. The State of Telangana, Rep.by its Principal Secretary, Labour Department, Secretariat Buildings, Saifabad, Hyderabad.
2. The Assistant Labour Officer, Jayashankar Bhupalpally District.
3. The Assistant Labour Officer, Mulugu District.
4. The Commissioner of Labour, Telangana State, Hyderabad.
5. The Municipal Council, Rep.by its Commissioner, Bhupalpally, Jayashankar Bhupalpally District.
6. The General Manager, SCCL Ramagundam Area - II, Ramagundam, Peddapally District.

...RESPONDENTS

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the order of the 2nd respondent in Lr. No.A/08/2024, dt.28.05.2024, whereby the licenses obtained by the petitioner in No.CLC/BHU/ALO/

MG/21656/2023, dt.10.04.2023 and CLC/BHU/ALO/MG/22137/2023,
dt.29.05.2023 were cancelled, pending disposal of the Writ Appeal.

**Counsel for the Appellant: SRI VEDULA SRINIVAS, Sr. COUNSEL, REP. FOR
M/s. VEDULA CHITRALEKHA**

Counsel for the Respondent No.1 to 4: SRI T.VENKAT RAJU, GP FOR LABOUR

Counsel for the Respondent No.5: SRI M.RAM MOHAN REDDY, SC FOR MCPL

Counsel for the Respondent No.6: SRI P.SRI HARSHA REDDY, SC FOR SCCL

The Court delivered the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SHRI JUSTICE J.SREENIVAS RAO

Writ Appeal No.899 of 2024

JUDGMENT: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Mr. Vedula Srinivas, learned Senior Counsel appears for Ms. Vedula Chitrlekha, learned counsel for the appellant.

Mr. T.Venkat Raju, learned Government Pleader for Labour appears for respondents No.1 to 4.

Mr. M.Ram Mohan Reddy, learned counsel for respondent No.5.

Mr. P.Sri Harsha Reddy, learned Standing Counsel for Singareni Collieries Company Limited (SCCL) appears for respondent No.6.

2. Heard on the question of admission.
3. In this intra court appeal, the appellant has assailed the validity of the order dated 10.07.2024, passed by a learned Single Judge dismissing the writ petition preferred by the appellant *viz.*, W.P.No.14234 of 2024.

4. In the aforesaid writ petition, the appellant has assailed the validity of the proceeding dated 28.05.2024, issued by the Assistant Labour Officer, Jayashankar Bhupalpally District (respondent No.2), by which the licenses issued to the appellant for engaging contract labour has been cancelled.

5. The aforesaid order has been passed in exercise of powers under Section 14 of the Contract Labour (Regulation and Abolition) Act, 1970 (for short 'the Act'). Admittedly, against the aforesaid order, an appeal lies under Section 15 of the Act.

6. In view of aforesaid, learned Senior Counsel for the appellant submitted that the appellant shall file an appeal before the appellate authority within a period of one week from the date of receipt of a copy of this order and the appellate authority be directed to decide the appeal in a time bound manner.

7. In our considered opinion, learned Single Judge ought not to have dealt with the controversy on merits in view of availability of an efficacious alternative remedy under Section 15 of the Act.

8. It is trite law that where the statute creates a right and provides for a forum for redressal of grievances of the parties, the parties should resort to that forum and the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India cannot be invoked (see **Hameed Kujju v. Nazim**¹ and **Authroised Officer, State Bank of Travancore v. Mathew K.C**²).

9. The Writ Petition is, therefore, disposed of with liberty to the appellant to file an appeal as provided under Section 15 of the Act. Needless to state that in case such an appeal is filed within a period of one week from the date of receipt of a copy

¹ (2017) 8 SCC 611

² (2018) 3 SCC 85

of the order passed today, the appellate authority shall decide the same by a speaking order, after affording an opportunity of hearing to the parties, within a period of two weeks from the date of filing of such an appeal without being influenced by any of the observations contained in the order passed by the learned Single Judge.

10. Accordingly, the Writ Appeal is disposed of. No costs.

As a sequel, miscellaneous petitions, pending if any, stand closed.

SD/-B.SATYAVATHI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Labour Department, Secretariat Buildings, Saifabad, Hyderabad, State of Telangana.
2. The Assistant Labour Officer, Jayashankar Bhupalpally District.
3. The Assistant Labour Officer, Mulugu District.
4. The Commissioner of Labour, Telangana State, Hyderabad.
5. The Commissioner, Municipal Council, Bhupalpally, Jayashankar Bhupalpally District.
6. The General Manager, SCCL Ramagundam Area - II Ramagundam, Peddapally District.
7. One CC to M/s. VEDULA CHITRALEKHA, Advocate [OPUC]
8. One CC to SR M.RAM MOHAN REDDY, SC FOR MCPL [OPUC]
9. One CC to SR P.SRI HARSHA REDDY, SC FOR SCCL [OPUC]
10. Two CCs to GP FOR LABOUR, High Court for the State of Telangana at Hyderabad [OJT]
11. Two CD Copies

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HIGH COURT

DATED: 02/08/2024

JUDGMENT

WA.No.899 of 2024



**DISPOSING OF THE WRIT APPEAL,
WITHOUT COSTS**

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3/9/24*