

GUNJAN KAKKAR V/S STATE OF HARYANA AND OTHERS

Present : Mr. Ivan Singh Khosa, Advocate, with
Ms. Bhumika Sachan, Advocate,
for the petitioner.

Mr. Deepak Vashisth, DAG, Haryana.

Mr. Pawan Kumar Mutneja, Sr. Advocate with
Mr. Viranjeet Singh Mahal, Advocate and
Mr. Vishesh Bhatia, Advocate,
for respondent No.3.

Counsel for the petitioner has invited attention of this Court to order dated 20.03.2023 (Annexure P-12) passed by Deputy Labour Commissioner, Circle-I, Faridabad. Its relevant extract is reproduced hereunder : -

“ Therefore, it appears from aforesaid statements that allegations levelled by the complainant appears to be true and shows the mistreatment of a woman employee. Besides this, complainant has also presented whatsapp chat from her phone and other concerned documents in this Office in order to verify her subjectment to mistreatment, copies whereof are herewith attached, on which basis it is extremely necessary to carry out legal proceedings against Manish Khanna and proceeding must be carried out against the guilty. Therefore, recommendation is hereby made to carry out legal proceeding against Manish Khanna. It is sent to you to carry out further necessary proceedings.”

Counsel asserts that this order was passed by the Labour Commissioner in an appeal preferred by petitioner and despite a specific direction, the management did not take any action against the guilty employee.

Mr. Mutneja requests for short accommodation to assist the Court.

List on 19.02.2026.

In the meanwhile, respondent No.1 shall place on record a copy of the notification which prescribes the authority before whom an appeal under Section 18 of the Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013, is maintainable.

January 27, 2026
Paritosh Kumar

(**SUVIR SEHGAL**)
JUDGE