

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

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CR 4523 of 2016 (O&M)
Date of decision: 08.09.2016

M/s IL & FS Skills Development Corp Ltd and another Petitioners

Versus

Presiding Officer, Industrial Tribunal Ludhiana & anr Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Harish Sharma, Advocate
 for the petitioners

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Rekha Mittal, J. (Oral)

Counsel for the petitioner states that the petitioner has already filed reply to the petition filed by respondent No. 2 and a specific objection has been raised therein that respondent No. 2 does not fall within the definition of a workman under the Industrial Disputes Act, 1947, therefore, the petition is not competent. He further submits that in view of the reply, the issue with regard to maintainability of the petition is required to be treated as a preliminary issue.

Without commenting upon merit of the case, the petition stands disposed of with liberty to the petitioner to file an appropriate application or make a request for treating the issue regarding maintainability as a preliminary issue, which will be decided by the Presiding Officer, Industrial Tribunal, Ludhiana, in accordance with law.

(Rekha Mittal)
Judge

08.09.2016
mohan bimbira

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No