

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

C.R. No.2039 of 2017

Date of Decision: 21.03.2017

M/s Nav Bharat Industries, Hisar Road,
Rohtak, through its Authorized Signatory
Jitender Kumar Anand

....Petitioner

Versus

The Presiding Officer, Labour Court,
Rohtak and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. P.K. Mutneja, Advocate
for the petitioner.

DAYA CHAUDHARY, J. (ORAL)

The grievance of the petitioner in the present petition is that he has raised certain preliminary objections in the reply of the application for interim relief in claim petition filed by the workmen and without considering those objections, the Court is going to decide the case on merits.

Learned counsel for the petitioner has relied upon the judgment of Hon'ble the Apex court in case ***Sohan Singh and others vs General Manager, Ordnance Factory, Khamaria, Jabalpur and others 1984 (Supp) Supreme Court Cases 661*** in support of his arguments.

I have gone through the *zimni* orders, which have been placed on record which shows that the case is fixed for consideration on the application, to which, the reply has also been filed by the petitioner.

It cannot be said at this stage that the Court will not take into

consideration the preliminary objections raised in reply to the application. It is premature to say that the Court is not taking into consideration the objection with regard to its jurisdiction, which has been raised by the petitioner. Only on the basis of apprehension, the present petition has been filed.

Without saying anything on the merits of the case, the present petition is disposed of with a direction to learned Labour Court to consider the issue/objections of jurisdiction as mentioned in reply to the application before taking any decision on the application pending.

The petition is disposed of accordingly.

(DAYA CHAUDHARY)
JUDGE

21.03.2017
gurpreet

Whether speaking/reasoned	Yes
Whether Reportable	No