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

CM No.15233 of 2015 in/&
CWP No.8220 of 2006 (O&M)
Date of decision: 27.02.2017

State of Haryana .... Petitioner

versus

Parveen Kumar & Ors. .... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Saurav Girdhar, AAG, Haryana.

Mr. S.P.Arora, Advocate
for the applicant/respondent No.1.

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Rajiv Narain Raina, J.(Oral)

CM No.15234 of 2015

This is an application for an early hearing of the case.

For the reasons mentioned in the application, the hearing of the case is brought forward to today i.e. 27.02.2017 and the main case is taken up for hearing today itself for final disposal.

CWP No.8220 of 2006

The only issued raised in this petition against the award of the Labour Court, Karnal is that the Department of Excise and Taxation is not an industry by definition within the meaning of Section 2(j) of the Industrial Disputes Act, 1947.

Mr. Arora appearing for the respondent-workman has placed along with his application a typed copy of the order passed by me in CWP No.596 of 2013, ***State of Haryana vs. Rajinder Parshad & ors.*** delivered on 18.09.2015 on which reliance is placed to refute the stand of the State by asserting that the department falls within the definition. While holding that the Department of Excise and Taxation, Haryana is an industry I had relied on the judgment of the Supreme Court in ***Corporation of the City of Nagpur vs. Its Employees,*** ***AIR 1960 SC 675: 1960 SCR (2) 942*** where the Apex Court considered similar activity of Excise and Taxation wing of the Corporation qualifies as industrial activity, declaring the same to be an industry. The reasoning therein applies here in this case.

No other ground was pressed against the award. On merits the award does not suffer from legal infirmity or error apparent on the face of record warranting interference while acting under Articles 226/227 of the Constitution.

Consequently, the writ petition fails and is dismissed.

(RAJIV NARAIN RAINA)
JUDGE

27.02.2017
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1. Whether speaking/reasoned? *Yes*
2. Whether reportable? *No*