

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

(108)

CWP-6358-2017

Decided on: May 10, 2017.

**Federation of All India Punjab & Sind Bank Officers through its
General Secretary**

.... Petitioner

Versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Manuj Nagrath, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

The petitioner is a Trade Union covered under the provisions of the Trade Union Act, 1926. The petitioner is aggrieved by order Annexure P-3 a Memorandum of Understanding regarding unification of two Trade Unions.

It appears that till date no decision has been taken by the Registrar, Trade Unions, Haryana as the petitioner has submitted objections against the unification on the basis of said Memorandum of Understanding dated 25.10.2016, Annexure P-3.

After hearing learned counsel for the petitioner and going through the provisions of the Trade Union Act, 1926, it appears that the amalgamation of the Trade Unions is permissible under Section 24 of the Trade Union Act. The procedure for amalgamation is prescribed in Section 25 of the said Act. On the basis of the subjective satisfaction of the Registrar after the notice, the Registrar has to take a decision under Section 25 (4) of the said Act for permitting the registration of the amalgamated Trade Unions.

The grievance of the petitioner is that the Registrar has not taken any decision on the objections of the petitioner regarding the unification/amalgamation of above said two unions.

The petition appears to be pre-mature as no prejudicial order has been passed.

At this stage, learned counsel for the petitioner submits that in the interest of justice, a direction may be issued to the Registrar, Trade Unions, Haryana to take final decision considering the objections of the petitioner regarding unification. The objections of the petitioner Annexure P-6 are dated 17.03.2017.

No statutory period for adjudication is prescribed, as such, this petition is disposed of as pre mature, at this stage.

The petitioner would be entitled to move an application before Registrar for expeditious disposal of its representation. In case, no action is taken on the request of the petitioner Federation within a period of two months, it will be open to the petitioner to approach this Court again for any further direction.

(M.M.S. BEDI)
JUDGE

May 10, 2017
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No