

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

125

CRM-M No.8358 of 2018

Date of Decision: February 27th, 2018

Central Bank of India

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Ravi Sharma, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court challenging the show cause notice dated 19.11.2015 (Annexure P-7) issued by the Assistant Labour Commissioner Central, Karnal, for non-implementation of the award dated 27.09.2010 (Annexure P-2).

It is the contention of learned counsel for the petitioner that the proceedings under Section 29 of the Industrial Disputes Act have been initiated against the petitioner beyond the period of limitation of one year as prescribed under the statute. He contends that despite the said objection having been taken by the petitioner in the reply which has been filed, the Court is still proceeding with the matter.

As is apparent from the documents which have been placed on record, no decision as yet has been taken by the Assistant Labour Commissioner Central, Karnal, on the plea of the petitioner. At this stage, therefore, interference by this Court in exercise of its powers under Section 482 Cr.P.C. is not called for. Petitioner has placed reliance upon the judgment of this Court in *M. Kar, Joint Managing Director, Flovel Limited, New Delhi Versus State of Haryana 1991(1) PLR 370* in support of his contention. The said judgment would not be applicable

to the present case as it was a case where there was no dispute with regard to the factual assertions and, therefore, the Court had come to a conclusion that the petition was filed beyond the period of limitation. As and when such a decision is taken by the Assistant Labour Commissioner Central, Karnal-respondent No.2, on the objection of the petitioner, it would be open to the petitioner to approach the Court.

The present petition is premature and, therefore, the same stands dismissed.

Counsel for the petitioner, at this stage, states that the personal presence of the Branch Manager of the petitioner-Bank may be exempted.

In case the said officer moves an application before respondent No.2, the same shall be considered sympathetically and appropriate orders passed thereon.

February 27th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No