

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

LPA No.2147 of 2017 (O&M)

Date of Decision: 08.08.2018

M/s United Engineers

...Appellant

VS.

Presiding Officer, Labour Court, Rohtak & Ors.

... Respondents

Coram : Hon'ble Mr.Justice Surya Kant

Hon'ble Mr.Justice Sudip Ahluwalia

Present: Mr. PK Mutneja, Advocate for the appellant

Mr. Ravi Dutt Sharma, DAG Haryana

Mr. Sandeep Singhal, Advocate for respondent No.4

SURYA KANT J. (Oral)

(1) This order shall dispose of LPA Nos.2147 to 2149, 2159 of 2017 as the point in issue is common. For brevity, the facts are being extracted from LPA No.2147 of 2017.

(2) The instant Letters Patent Appeal assails the interlocutory order dated 07.10.2017 passed by learned Single Judge in a Miscellaneous Application moved in the pending writ petition in which the appellant-Management sought stay against the 'amendment' of 'Reference' made by the Appropriate Government under the Industrial Disputes Act.

(3) Learned counsel for the parties inform that the main case is now listed before learned Single Judge on 22.10.2018.

(4) In our considered view, it will be more appropriate if the writ petition(s) itself questioning the powers of Appropriate Government to amend or modify the 'Reference' is decided by the learned Single Judge. Needless to say that the observations made in the interlocutory order dated 07.10.2017 are not the final expression of views by the learned Single Judge

as those observations were made only in the context of grant/continuation of interim stay. It is thus obvious that such observations will have no bearing on the final adjudication of the writ petition(s).

(5) Owing to the fact that the main 'Reference' is yet to be decided by learned Labour Court, we request learned Single Judge to decide the main case on the date fixed or at the earliest.

(6) The appeal stands disposed of accordingly.

CM-5212-13-LPA-2017

In view of the fact that the main appeal itself has been decided, these applications have become infructuous and are disposed of accordingly.

(Surya Kant)
Judge

08.08.2018
vishal shonkar

(Sudip Ahluwalia)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes
No