

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

CWP No. 3580 of 2019

Date of Decision: 14.02.2019

Satwinder Singh

...Petitioner

Vs.

Punjab State Power Corporation Limited and others...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. B. D. Sharma, Advocate for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

The petitioner was ill advised to move an application under Section 33-C (2) of the Industrial Disputes Act, 1947, before the Labour Court, Gurdaspur which has been limited for the ground that the claim was not maintainable. The applicant sought promotion as ALM from work charge T-Mate with consequential benefits. This dispute did not fall within the jurisdiction of the Labour Court in proceedings under Section 33-C (2) and it rightly dismissed the application as not maintainable, but, having held so, ventured to decide the case on merits. If the action was not maintainable then Labour Court should have refrained from making any comment on the merits of the dispute.

In view of this, petition is dismissed on the point of maintainability with liberty to the petitioner to seek legal redress or to take recourse to law before the appropriate forum.

**(RAJIV NARAIN RAINA)
JUDGE**

14.02.2019

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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*