

CM-11140-2023
in/and
RA-CW-241-2023
in CWP-18122-2018 **1** **2023:PHHC:096458**

127-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1.CM-11140-2023
in/and
RA-CW-241-2023
in
CWP-18122-2018

Government ITIs Contract Employees Union Punjab and others

..Petitioner

Versus

State of Punjab and others

.Respondents

2.CM-11090-2023
in/and
RA-CW-236-2023
in
CWP-19389-2020

Government ITIs Contract Employees Union Punjab and others

..Petitioner

Versus

State of Punjab and others

.Respondents

3.CM-11137-2023
in/and
RA-CW-239-2023
in
CWP-24066-2018

Government ITIs Contract Employees Union Punjab and others

..Petitioner

Versus

State of Punjab and others

.Respondents

CM-11140-2023
in/and
RA-CW-241-2023
in CWP-18122-2018 **2** **2023:PHHC:096458**

4.CM-11138-2023
in/and
RA-CW-240-2023
in
CWP-10653-2019

Government ITIs Contract Employees Union Punjab and others

..Petitioner

Versus

State of Punjab and others

.Respondents

5.CM-11146-2023
in/and
RA-CW-242-2023
in
CWP-26574-2022

Government ITIs Contract Employees Union Punjab and others

..Petitioner

Versus

State of Punjab and others

.Respondents

6.CM-11148-2023
in/and
RA-CW-243-2023
in
CWP-40362-2018

Government ITIs Contract Employees Union Punjab and others

..Petitioner

Versus

State of Punjab and others

.Respondents

7.CM-11091-2023

CM-11140-2023

in/and

RA-CW-241-2023

in CWP-18122-2018

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in/and

RA-CW-237-2023

in

CWP-36860-2019

Government ITIs Contract Employees Union Punjab and others

..Petitioner

Versus

State of Punjab and others

.Respondents

Date of decision: 27.07.2023

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. H.C.Arora, Advocate for the review applicant

Mr. Gurpreet Singh, Addl. AG, Punjab

Mr. S.K.Sharma, Senior Panel Counsel for respondent no.3
in RA-241-2023

Mr. Harmeet Singh Oberoi, Advocate for UOI

ANIL KSHETARPAL, J (Oral)

Applications for condonation of delay

1. After hearing learned counsel representing the applicants and for the reasons stated in the applications, delay of 10 days in filing each of the review application (mentioned above), is condoned.

2. The applications stand allowed.

Review Applications

3. By this order, seven review applications (mentioned above) shall stand disposed of.

CM-11140-2023

in/and

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in CWP-18122-2018

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4. These review applications have been filed to complain that this Court has failed to examine the issue of entitlement of the employees to the salary as per the tripartite memorandum of agreement signed after the Government took a decision to upgrade 1396 Government Industrial Training Institutes through public private partnership. It is submitted that as per the tripartite agreement, a minimum salary of Rs.14,000/- was payable to the Instructor alongwith annual increments. It is also claimed that the issue of entitlement of the Instructors to the various kinds of holidays has not been decided.

5. This Court has considered the submissions made by the learned counsel representing the parties. It is clear from the reading of the judgment that it was found that the petitioners were appointed at a local level by the Institute Management Committee. Their engagement was dependent upon the availability of the work. The petitioners were engaged on a contract basis. Admittedly, the petitioners have been paid in accordance with the aforesaid contracts. They were not party to the tripartite agreement. Moreover, once the petitioners were appointed by the Institute Management Committee, the maintainability of the writ petition itself is doubtful. Similarly, for entitlement to the benefit of various kinds of holidays, the petitioners were governed by the contract.

6. Keeping in view the aforesaid facts, no ground to review the order dated 01.06.2023 is made out.

7. Hence, dismissed.

in/and

in CWP-18122-2018

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JUDGE

Whether speaking/reasoned :

Whether reportable :