

113 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25205-2015

Date of Decision:31.10.2023

MANPREET SINGH

..... Petitioner

Versus

UNION OF INDIA AND ORS

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Jasbir Singh, Advocate for the petitioner.

Mr. Ranjan Lohan, Advocate for the respondent-Bank.

JAGMOHAN BANSAL, J. (Oral)

1. A bunch of petitions was dismissed vide order dated 10.03.2017 passed by this Court. The petitioner preferred an application seeking modification of order dated 10.03.2017 to the extent of granting liberty to petitioner to approach appropriate authority under Industrial Disputes Act, 1947. The said application came up for consideration before this Court and following order was passed:

“Mr. Bedi's prayer is accepted that the present application must receive the same order as the one passed by me on 05.09.2017 in a bunch of applications, the first one being CM No.11128 of 2017 in CWP No.25886 of 2015 and connected applications/cases.

For convenience, that order is reproduced below:-

“Mr. Bedi submits that qua challenge to the selection of regular sepoy in Bank of India the writ failed for the reason it has. That part is not re-agitated in these applications which is one for modification that the applicants who are 12 of the 32 original petitioners would be unable to challenge their oral termination after years of service with the Bank because of the dismissal of the petition. Thereby, they would lose their valuable rights under Sections 25-F & 25-G. The ground was taken in the petition with regard to rights under the Industrial Disputes Act but the petition was dismissed by reason of not taking leave to

file fresh petition but the bar of Order 23 Rule 1 CPC fell upon the way of the applicants.

Mr. Bedi submits that in case, modification is not made to the order the applicants will be unable to agitate against their dismissals.

I do not feel that any modification is required but in case the applicant workers are aggrieved it is clarified that it will always be open them to claim their special rights under the Industrial Disputes Act, if advised and if it does not go behind the order dated 10.03.2017.

With these observations, the applications stand disposed of.

A photocopy of this order be placed on the files of connected cases”.

The present application is disposed of in the same terms.”

2. By common order dated 10.03.2017, 32 writ petitions were dismissed by this Court. 11 writ petitioners preferred intra court appeal and 13 writ petitioners preferred petition before Industrial Tribunal. 08 writ petitioners have neither filed LPA nor petition before Industrial Tribunal meaning thereby they have accepted order dated 10.03.2017 passed by this Court. A Division Bench of this Court has allowed LPA and remanded the matter back to Single Judge.
3. The present petition is listed alongwith petitions where LPA Bench has remanded the matter back to Single Judge.
4. The petitioner has not assailed order dated 10.03.2017 passed by this Court, thus, no further order is warranted.

(JAGMOHAN BANSAL)
JUDGE

31.10.2023
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No