

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

127

**CWP-19513-2023
Date of Decision: 04.09.2023**

NIRMAL SINGH AND ORS.

... Petitioners

VERSUS

UNION OF INDIA AND ORS.

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Ankit Joshi, Advocate
for the petitioners.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the election result dated 19.08.2023 (Annexure P-5) of the Welfare Committee at 36 FAD on the ground that such process is unfair, full of discrepancies and in violation of law.

Learned counsel for the petitioners contends that the abovesaid Welfare Committee at 36 FAD has been constituted for taking up matters for the welfare of civilian people working in association with the Army and that no trade union activity is allowed and the provisions of Industrial Disputes Act, 1947 are not applicable. The election to the abovesaid Welfare Committee was, however, undertaken in an arbitrary, whimsical and illegal manner.

Even though the procedure for conducting the election by nomination has been appended alongwith the aforesaid Welfare Committee at 36 FAD, however, it is not put forth as to what is the nature of the aforesaid Committee and under what governing statute the same has been formed. Besides, there is also nothing available on record, on the basis whereof, the

abovesaid Committee and/or conducting of its elections can be labelled as an act of the State at this stage. The same is moreover a private dispute pertaining to an election which cannot be challenged by way of filing a petition.

In view of the above, counsel for the petitioners does not wish the instant petition so as to take recourse to the alternative remedies available to him in accordance with law.

Disposed of as not pressed at this stage with the liberty as aforesaid.

SEPTEMBER 04, 2023
rajender

(VINOD S. BHARDWAJ)
JUDGE

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