

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CM-17310-CWP-2023 &
CM-17311-CWP-2023 in/and
CWP-19451-2023
Date of Decision: 10.10.2023

Bellsonica Auto Component India Employees' Union

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. R.S. Bains, Senior Advocate assisted by
Mr. Ankit Grewal, Advocate and
Mr. Amar Jeet, Advocate
for the applicant/petitioner.

Mr. Praveen Chander Goyal, Addl. A.G., Haryana.

Mr. Ashwani Talwar, Advocate
for the respondent No.3.

HARSH BUNGER J. (ORAL)

Learned counsel for the applicant/petitioner submits that although the main case is listed for 13.02.2024, however at his oral request, the same may be taken up for hearing today itself.

At his oral request, CWP-19451-2023 is taken up for hearing today itself, along with the applications (CM-17310-CWP-2023 & CM-17311-CWP-2023), which are already listed today.

CWP-19451-2023 (O&M):

1. The present writ petition under Article 226 of the Constitution

of India has been filed for quashing impugned notice dated 05.09.2022 (Annexure P-4) and impugned notice dated 26.12.2022 (Annexure P-6) issued by respondent No.2. Another prayer has been made to declare that the contractual employees are eligible for ordinary membership of the petitioner-Union as provided under Section 6(E) of the Trade Union Act, 1926 and Rule 5 of the Trade Union Constitution (Annexure P-2) and the right to grant and deny membership to any person is governed by the provisions of the Constitution of petitioner-Union (Annexure P-2); and the same cannot be entertained by the respondents. A further prayer has been made to direct respondent No.2 to consider representation/reply dated 27.02.2023 (Annexure P-8) and to withdraw the impugned Show Cause Notice dated 05.09.2022 (Annexure P-4) as well as impugned notice dated 26.12.2022 (Annexure P-6).

2. At the outset, learned counsel for the petitioner submits that he may be permitted to withdraw the instant petition with liberty to the petitioner-Union to avail its remedies, including filing of a fresh writ petition with better particulars, in accordance with law.

3. Keeping in view of the aforesaid submissions made by learned counsel for the petitioner, the present writ petition is dismissed as withdrawn with the liberty aforesaid.

4. All pending application(s), if any, shall also stand closed.

10.10.2023
Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No