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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16247-1998 (O&M)
Date of Decision: 16.12.2024

GBA WORKERS UNION Petitioner

Versus

UT OF CHANDIGARH AND ORS Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Naveen Kumar, Advocate for
Mr. K.L. Arora, Advocate
for the petitioner.

Mr. Mayank Sharma, Advocate for
Mr. Aman Pal, Advocate
for respondents No.1 and 2.

Mr. Dharam Pal Sharma, Advocate
for respondent No.3.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to comply with provisions of Factories Act, 1948 (for short '1948 Act').
2. Mr. Dharam Pal Sharma, Advocate has put in appearance on behalf of respondent No.3 and filed his power of attorney. The same is taken on record. Registry is directed to tag the same at an appropriate place.
3. The petitioner is a workers' Union and its members are working with respondent No.3-Groz-Beckert Asia Pvt. Limited. The petitioner is claiming that respondent is not complying with provisions of 1948 Act especially observation of Sunday as a non-working day.



4. Learned counsels for the respondents submit that all the workers are getting one day off every week and said day may or may not be a Sunday.
5. The petitioner has neither approached Labour Court nor Labour Authorities whereas directly approached this Court. The grievance raised by petitioner can be examined by Labour Authorities or Labour Court. The petitioner’s members are working with respondent for the last 26 years. In these circumstances, this Court does not find that dispute raised by petitioner needs to be adjudicated. The petitioner is at liberty to approach Competent Authority.
6. Disposed of.
7. Pending misc. application (s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

16.12.2024
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No