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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-12429-2022

Date of Decision: 14.10.2024

M/S SUBROS LIMITED

..... Petitioner

Versus

BAL RAM AND ANR

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Pawan Kumar Mutneja, Sr. Advocate with
Mr. Guramen Singh, Advocate
for the petitioner.

Mr. Sumeet Jain, Advocate with
Ms. Nandita Aggarwal, Advocate
for respondent No.1.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of order dated 07.01.2020 (Annexure P-8) whereby Labour Court has set aside domestic inquiry.

2. The petitioner is a limited company and respondent No.1 is a workman. On the application of workman, the matter was referred to Labour Court which at the first instance decided the question of validity of domestic inquiry conducted by petitioner. By impugned order, the Labour Court has found substance in the contention of workman. It has vitiated inquiry conducted by Management.

3. Mr. Sumeet Jain, Advocate for respondent No.1 submits that petitioner would certainly get opportunity to challenge the findings of

Labour Court recorded in impugned order while challenging final order, if any, passed against it.

4. The Labour Court after answering question *qua* validity of domestic inquiry has fixed the matter for evidence of both sides. The petitioner is assailing order whereby Labour Court has decided question of validity of domestic inquiry, however, no final order has been passed which as conceded by both sides would be passed after granting opportunity to both sides to lead their evidence.

5. This Court does not find it appropriate to examine validity of order dated 07.01.2020 (Annexure P-8) especially in view of the fact that petitioner would get opportunity to challenge final order, if any, passed against it. It would also get opportunity to lead evidence before Labour Court before passing of final order.

6. Dismissed.

(JAGMOHAN BANSAL)
JUDGE

14.10.2024
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>