



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

217

CWP-26912-2015
Date of Decision:28.05.2024

Bharatiya Kamgar Karamchari Mahasangh (BKKM)

.... Petitioner

Versus

State of Haryana and another

....Respondents

CORAM:HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the petitioner.

Mr. Satish Singla, Asst. A.G., Haryana.

SANJAY VASHISTH, J.(Oral)

1. On 18.04.2024, this Court has passed the following
order:

*“Present: None for the petitioner(s).
Ms. Harsh Rekha Kapoor, AAG,
Haryana.

1. Through present writ petition, petitioner i.e. Bharatiya Kamgar Karamchari Mahasangh (BKKM), has sought quashing of order dated 05.03.2015 (Annexure P-2), whereby, request of the petitioner to treat their demands raised vide demand notice dated 18.11.2013 to be industrial dispute, has not been accepted by the Labour & Employment "members of the union are working in other states own the ground bhat Department, Haryana (respondent No.1 herein), on the ground that Department of State in which these members are working has the jurisdiction to hear their complaint. Haryana Govt. is not competent to take a decision



on the demand notice, thus, in view of the above, this demand notice is rejected."

Thus, there is a jurisdictional issue raised in the present writ petition.

2. Respondent No.2 has not been served till date, and therefore, on 19.09.2019, following order was passed by the Coordinate Bench of this Court:-

"Present: None for the petitioner.

Mr. Manish Dadwal, Assistant

Advocate General, Haryana.

As per the report of Registry, respondent No.2 has shifted to some other place.

Let the fresh correct address of respondent No.2 be submitted in the Registry within a period of six weeks.

On doing so, notice be issued to respondent No.2 for 24.03.2020.

***September 19, 2019 (AUGUSTINE GEORGE MASIH)
JUDGE"***

3. On examination of the record, it is found that no material steps have been taken by the petitioner to serve respondent No.2.

4. Today, there is no representation on behalf of the petitioner. In the interest of justice, one last opportunity is granted to the petitioner to comply with order dated 19.09.2019, passed by the Coordinate Bench of this Court.

5. Adjourned to 28.05.2024.

April 18, 2024

***(SANJAY VASHISTH)
JUDGE"***

2. On the last date of hearing, none had appeared on behalf of the petitioner. Even today, there is no representation on behalf of the petitioner. This Court is unable to proceed further for the purpose of hearing of the present petition and is left with no other option except to dismiss the petition for non-prosecution. Therefore, **the present petition is dismissed for non-prosecution.**

3. However, liberty is granted to the petitioner to move an appropriate application for seeking revival of the present writ petition with the preparation to argue the matter within eight weeks from



today, in case any substantive issue still exists alongwith a cause of
action to the petitioner.

May 28, 2024
rashmi

[SANJAY VASHISTH]
JUDGE

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no