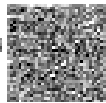


IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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2024-PHHC:112593-DB



LPA-1738-2024 (O&M)
Date of decision: 30.08.2024

BHUPINDER SINGH ..Appellant

Versus

STATE OF PUNJAB AND ORS ..Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Deepanshu Mehta, Advocate for the appellant.
Mr. Salil Sabhlok, Sr. DAG, Punjab.

* * * *

SHEEL NAGU, C.J. (Oral)
CM-4587-LPA-2024

1. For the reasons mentioned in the application, delay of 132 days in filing the appeal is condoned. Application stands disposed of.

Main case

3. The present intra-court appeal has been filed against an order dated 21.07.2023, passed by learned Single Judge in Civil Writ Petition No. 15510 of 2023, titled as *Bhupinder Singh Vs. State of Punjab and others*, whereby, the petition filed by the appellant-petitioner was dismissed by the learned Single Judge extending liberty to the appellant to avail the remedy before the appropriate forum in accordance with law.

4. Heard learned counsel for the appellant.

5. The appellant had approached the learned Single Judge seeking a direction for grant of sanction to prosecute the Employer for having changed the service conditions during pendency of reference made before the Labour Court by the appropriate Government.
6. Undisputedly, the dispute referred to the Labour Court in regard to general demands raised under Section 2(k) of the Industrial Disputes Act, 1947 (in short ‘1947 Act’) by the members of trade union is pending adjudication before the Labour Court.
7. After having heard learned counsel for appellant and perusal of the record, this Court do not find any reason to interfere with the order passed by learned Single Judge as the appellant has an alternative remedy as provided under Section 33A of the 1947 Act before the appropriate forum, which has not been availed of by the appellant.
8. As such this Court declines to interfere to the observations that in case the appellant avails the said remedy under Section 33A of the 1947 Act, the same shall be decided by the Labour Court as expeditiously as possible.
9. Accordingly, the present appeal stands dismissed.
10. All the pending miscellaneous applications, if any, are also disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

August 30th, 2024

Ay

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No