



119-I

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-1219-2024 (O&M)
Date of decision: 20.11.2024

Kamaljit Singh

.....Appellant

V/s

State of Punjab and others

...Respondents

CORAM: HON’BLE MR. JUSTICE DEEPAK SIBAL
HON’BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Akhilesh Vyas, Advocate
for the appellant.

Mr. Parveen Chauhan, Advocate for
Mr. Gagandeep Singh Wasu, Advocate
for the respondents No. 2 to 4-BBMB.

DEEPAK SIBAL J. (ORAL)

1. In the year 2010, the appellant completed one year apprenticeship conducted by the Bhakra Beas Management Board (for short – the Board). The apprenticeship was in the trade of Machinist Grinder. In October, 2020 he filed a representation with the respondent-Board to appoint him on the ground that he had received training by the Board. When his representation went unanswered, relying on Section 22 of Apprenticeship Act, 1961 (for short – the 1961 Act), in the year 2023, the appellant knocked the doors of this Court seeking therein issuance of directions to the respondent-Board to appoint him on a suitable post.

2. Through the impugned judgment, a learned Single Judge of this Court dismissed the appellant’s petition on the ground of delay and laches as

also for the reason that Section 22 of the 1961 Act did not confer any legal



right to the appellant to approach this Court for issuance of directions to the respondent-Board to appoint him only because he had done apprenticeship under the respondent-Board.

3. Even before us no explanation has even been offered by the appellant as to why he had approached this Court after 13 years of having completed his apprenticeship. We also find no fault in the impugned judgment through which the learned Single Judge has held that in the absence of any condition in the contract of apprenticeship it would not be obligatory on the part of the employer to offer employment to an apprentice only because he has done his apprenticeship with the employer.

4. In the light of the above, we find no error in the impugned judgment but in terms of the law laid down by the Supreme Court in “**U.P. State Road Tpt. Corp. Vs. U.P. Parivahan Nigam Shishukhs Berozgar Sangh**” 1995(2) SCC 1, dispose of this appeal with a direction that whenever in the future the respondent-Board advertises to fill up posts which commensurate with the appellant’s apprenticeship, other things being equal, the appellant being a trained apprentice, be given preference. Relaxation in age, if so required, in terms of the law laid down by the Supreme Court in U.P. State Road Tpt. Corp.’s case (supra) be also given.

5. All pending miscellaneous application(s), if any, shall also stand disposed of.

(DEEPAK SIBAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

20.11.2024
Sapna Adhikari

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No