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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**(218) CWP-16456-2000 (O&M)
Date of Decision : July 03, 2025**

F.C.L Workers Union, AITUC Banh Majra, Kurali .. Petitioner

Versus

Punjab Financial Corporation and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Arvind Galav, Advocate, for
Mr. Dinesh Kumar, Advocate, for the petitioner.

Mr. Shailesh Aggarwal, Advocate, for respondent No.1.

None for respondents No. 3 & 4.

Mr. Rahul Rampal, Addl. Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the challenge by the petitioner-Union is to the Clause No.15 of the Agreement dated 11.02.2000 (Annexure P-17) which has been entered into between respondents No. 1 and 2 with respondent No.4, who was the ultimate purchaser of respondent No.3-organization.

2. The first question which needs to be answered is as to whether present petition is maintainable against respondent No.4 which is the private entity or not. Here the petitioner is an employee-Union, which is challenging an agreement entered into between the State and private entity. The petitioner has to show the locus standi as to how, an agreement with the private entity will give petitioner a jurisdiction to file a writ petition under Article 226 of the Constitution of India before this Court. The writ petition

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is not maintainable against the private entity at all and therefore, this Court will not have the jurisdiction.

3. To overcome the said hurdle, learned counsel for the petitioner argues that the petitioners were the employees of respondent No.3 which entity was ultimately purchased by respondent No.4.

4. On being asked to show the appointment orders of the workmen who are working with respondent No.3 so as to claim that prejudice has been caused, learned counsel for the petitioner has not been able to point out any such fact which established master and servant relationship between the petitioner as well as respondent No.3 which organization is also a private entity was ultimately sold to respondent No.4 on certain terms and conditions.

5. In the absence of existence of any master and servant relationship with the State, no prejudice shown to be have caused to the petitioner-Union have been brought to the notice of this Court, no writ petition is maintainable in the facts and circumstances.

6. Keeping in view the totality of the circumstances, no ground is made out for any interference by this Court in the present case.

7. Accordingly, the writ petition is dismissed.

8. Civil miscellaneous application pending if any, also stands disposed of.

July 03, 2025

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No