



CWP-22310-2025 & connected case 1

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

(121) CWP-22310-2025
Date of Decision : August 04, 2025

Surinder Paul @ Surinder Pal .. Petitioner

Versus

**The Additional District & Sessions Judge, Presiding Officer, Industrial
Tribunal, Amritsar, District Amritsar and others .. Respondents**

(122) CWP-22339-2025

Rana Singh (Driver) .. Petitioner

Versus

**The Additional District & Sessions Judge, Presiding Officer, Industrial
Tribunal, Amritsar, District Amritsar and others .. Respondents**

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Tahaf Bains, Advocate, for the petitioner.

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

HARSIMRAN SINGH SETHI J. (ORAL)

1. By this common order, two writ petitions, the details of which have been given in the heading, are being disposed of as both the petitions involve the same question of law on similar facts.

2. In the present writ petitions, the grievance being raised by the petitioner(s) is that the Presiding Officer of the Labour Court, who had

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passed the orders dated 25.02.2025 (Annexure P-6) in both the petitions, was not eligible to be appointed as Presiding Officer as per Section 7-A of the Industrial Disputes Act, 1947 (hereinafter referred as '1947 Act') and therefore, the aforementioned orders so passed are liable to be set aside and the cases may kindly be remanded back to the Labour Court for fresh decision on the basis of facts and material evidence which have come on record.

3. Notice of motion.

4. Mr. Rahul Rampal, learned Additional Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents.

5. In order to examine the assertion of the learned counsel for the petitioner(s) that the Presiding Officer who decided the issues while passing the orders dated 25.02.2025 (Annexure P-6) in both the petitions was eligible to be appointed as a Presiding Officer Industrial Tribunal or not, the record of the High Court was called for and it transpires that the Officer was inadvertently posted as Presiding Officer, Industrial Tribunal, Amritsar but later on, when the said mistake was detected, he was transferred out in April, 2025.

6. Learned counsel for the petitioner(s) submits that keeping in view the fact that the Presiding Officer was not eligible under Section 7-A of the 1947 Act as he did not had three years experience as Additional District Judge or District Judge as the case may be, the matter be remanded back.



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7. Learned counsel for the respondent-State has not been able to rebut the fact that the Presiding Officer who has passed the orders, was not eligible to be appointed as Presiding Officer of the Labour Court and orders so passed were beyond the jurisdiction.

8. Keeping in view the totality of the circumstances, the orders dated 25.02.2025 (Annexure P-6) in both the writ petitions, are set aside on the ground that the same has been passed by the Presiding Officer, who was not eligible for appointment as such as per Section 7-A of the 1947 Act and remanded back to decide afresh.

9. Parties are directed to appear before the Industrial Tribunal, Amritsar on 01.09.2025.

10. The Industrial Tribunal, Amritsar is directed to pass a fresh order on the basis of the evidence and facts already brought on record.

11. The present writ petitions are allowed in above terms.

12. A photocopy of this order be placed on the file of other connected case.

August 04, 2025
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No