



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

LPA-2751-2025

Date of Decision: 25.09.2025

PYARA SINGH AND OTHERS

...APPELLANTS

VERSUS

MUNICIPAL CORPORATION CHANDIGARH AND OTHERS

...RESPONDENTS

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present:- Mr. Barjesh Mittal, Advocate
for the appellants.

Mr. Manbir Singh Batth, Advocate
for respondents No.1 to 6.

ASHWANI KUMAR MISHRA, J. (ORAL)

1. This appeal arises out of an order passed by the learned Single Judge dated 05.08.2025, wherein, the Writ Court has refused to interfere in the claim of the appellants primarily on the ground that the appropriate remedy available to them would be to approach the Labour Court.

2. The appellants claimed to have been engaged through an Outsourcing Agency for performing different works in Municipal Corporation, Chandigarh. According to the appellants, they have been working for a sufficiently long period under the directions of the Municipal Corporation, Chandigarh, and are now being substituted/replaced by new persons.

3. Although various submissions have been advanced at the stage of appeal but we find that there is no *prima facie* evidence to

indicate existence of privity of contract between the appellants and the Municipal Corporation, Chandigarh. The engagement of all the appellants is through the Outsourcing Agency. In such circumstances, the employer of the appellants would be the Outsourcing Agency. Whether or not any practice inconsistent with the provisions of the Industrial Disputes Act, 1947 is being adopted by the private respondent would be an aspect to be examined by the competent Industrial Adjudicator, after evidence is led in that regard by the parties. Learned Single Judge has therefore rightly disposed of the writ petition granting liberty to the petitioners to approach the competent Labour Court, since we would not be justified in embarking upon any factual disputes at the first instance.

4. Consequently, the present appeal fails and is accordingly dismissed.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

SEPTEMBER 25, 2025

Rahul Joshi

1. Whether Speaking/reasoned	Yes/No
2. Whether Reportable	Yes/No