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

LPA-1448-2026

Date of decision: 19.05.2026

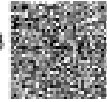
M/S IN TRADING INDIA PVT. LTD.**...Appellant(s)****VERSUS****PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT-II, GURUGRAM AND ANOTHER****...Respondent(s)****CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI
HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present:- Mr. Dhananjay Sharma, Advocate
(Through Video Conferencing) and
Mr. Shadab Ahmad, Advocate for the appellant.

JASGURPREET SINGH PURI, J. (Oral)

1. The present Letters Patent Appeal has been filed under Clause X of the Letters Patent Act for setting aside the order dated 16.04.2026 passed by the learned Single Judge in CM-5620-CWP-2026 in CWP-7956-2026, whereby the prayer of the appellant for grant of stay has been declined.

2. Mr. Dhananjay Sharma, Advocate has appeared through video conferencing along with Mr. Shadab Ahmad, Advocate, who has appeared through physical hearing on behalf of the appellant and submitted that when the writ petition, which is still pending, was filed before the learned Single Judge, a prayer was made for grant of stay of the execution proceedings by way of filing a miscellaneous application bearing No.CM-5620-CWP-2026, but the learned Single Judge rejected the said prayer for grant of stay. He further submitted that an *ex parte* award dated 04.07.2014 was passed against the appellant, which has been annexed along with the present appeal as Annexure P-3. Thereafter, the



appellant filed an application before the Industrial Tribunal-cum-Labour Court-II, Gurugram for setting aside the *ex parte* award as well as the order by which it was proceeded against *ex parte* but the said application was rejected vide order dated 09.10.2025 (Annexure P-13). He further submitted that the aforesaid order was thereafter assailed by the appellant before the learned Single Judge by filing a writ petition, wherein the prayer for grant of stay of the execution proceedings was rejected vide impugned order dated 16.04.2026.

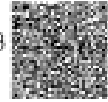
3. Learned counsel for the appellant submitted that although the writ petition before the learned Single Judge is still pending but in the meantime, the execution proceedings have already been initiated and in case the execution proceedings are allowed to continue, then prejudice will be caused to the appellant.

4. We have heard the learned counsels for the appellant.

5. The impugned order in the present Letters Patent Appeal is an interlocutory/interim order passed by the learned Single Judge, whereby the prayer of the appellant for grant of stay has been declined. The writ petition is still pending. By way of the aforesaid impugned order, the learned Single Judge rejected the prayer for grant of stay and also observed that at the notice of motion stage, the aforesaid prayer for grant of stay was considered.

6. The award was passed by the Industrial Tribunal-cum-Labour Court-II, Gurugram on 04.07.2014 vide Annexure P-3 from where it is clear from paragraph No.3 that initially the appellant had appeared before the Industrial Tribunal-cum-Labour Court-II, but thereafter it allowed itself to be proceeded against *ex parte*. After the award was passed *ex parte*, the appellant

had filed an application for setting aside the *ex parte* award, which was



dismissed vide order dated 09.10.2025 (Annexure P-13). When the respondents initiated execution proceedings, the appellant was again proceeded against *ex parte* in the said proceedings, which is clear from the order dated 15.04.2026 annexed along with the present appeal at page No.93 of the paper-book, whereby the learned Civil Judge (Junior Division), Gurugram, who was the Executing Court, observed that the appellant was called several times but none appeared on behalf of judgment debtor and thereafter, was proceeded against *ex parte*, although on a later date, the said *ex parte* order was set aside subject to payment of costs. In this way, although the appellant had earlier appeared before the Industrial Tribunal-cum-Labour Court-II and later on also before the learned Executing Court, but it subsequently did not appear at both stages and was proceeded against *ex parte*.

7. We are therefore of the considered view that there is no ground available with the appellant for seeking intervention in the present Letters Patent Appeal, wherein the interlocutory/interim order has been passed by the learned Single Judge and the writ petition is still pending.

8. Consequently, the present Letters Patent Appeal is hereby dismissed.

9. Miscellaneous applications, if any, shall also stand disposed of.

(JASGURPREET SINGH PURI)
JUDGE

(AMARJOT BHATTI)
JUDGE

19.05.2026
Chetan Thakur

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