

LPA-941-2023 (O&M)
THE INDIAN SUGAR AND GENERAL ENGINEERING CORPORATION ,
YAMUNA NAGAR AND ORS
VS
STATE OF HARYANA AND OTHERS

Present: Mr. Pawan Kumar Mutneja, Advocate with
Ms. Suverna Mutneja, Mr. Akshay Goel,
and Mr. Abhishek Joon, Advocates
for the appellants.

Learned counsel for the appellants submits that in the present case, the Punjab Welfare Officers Recruitment & Conditions of Service Rules, 1952 (Annexure P-2) (hereinafter referred to as 'Rules, 1952') are not applicable as the respondent No. 3 was initially appointed as Labour Welfare Officer on 30.01.1981 and, thereafter, he was appointed as Senior Trainee and Development Officer w.e.f. 19.10.1995. His services were terminated on 11.09.1996 and after his appointment as Senior Trainee and Development Officer, Rules, 1952 are not applicable.

Mr. Ashutosh Gupta, Advocate puts in appearance and files his memorandum of appearance on behalf of respondent No. 3 in Court today and the same is taken on record.

On a specific query put to learned counsel for the appellants, he submits that in a case where Rules, 1952 are not applicable, remedy of arbitration is available to the employees.

This matter is being adjourned to 14.11.2023 to enable learned counsel for the appellants to get instructions with respect to the respondent No. 3, who worked for more than 15 years, can the arbitration proceedings be initiated for an out of Court settlement?

(RITU BAHRI)
ACTING CHIEF JUSTICE

(MANISHA BATRA)
JUDGE

16.10.2023
Divyanshi