

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 7164/2023

Manager, Dainik Bhaskar Corporation Limited

-----Petitioner

Versus

Devendra Kumar Dadhich S/o Shri Madan Gopal Dadhich

-----Respondent

For Petitioner(s) : Mr. Nitish Kumar Bagri
Mr. Shretima Bagri
Mr. Adity Jain

For Respondent(s) :

HON'BLE DR. JUSTICE NUPUR BHATI

Order

18/03/2026

1. Learned counsel for the petitioner submits that the Sub-Section 2(A)(2) of the Industrial Disputes Act, 1947 was repealed vide Repealing & Amending Act, 2016 and despite this, the learned Labour Court proceeded to entertain the application of the respondent 'workman' directly without reference being made. He further places reliance on the order dated 08.05.2023 passed by the Hon'ble Division Bench in D.B. Special Appeal (Writ) No. 249/2023 titled as 'Chief Manager, Rajasthan State Road Transport Corporation Vs. Madan Lal Gurjar & Others' which is reproduced as under -

"Heard.

Issue notice to respondents on payment of P.F. within one week, returnable within two weeks.

Taking into consideration the submission of learned counsel for the appellant that repeal of sub-section (2) of Section 2A of the Industrial Disputes Act, 1947 vide the Repealing

and Amending Act, 2016 has the effect of denuding the Labour Court of jurisdiction to entertain application of the workman directly without reference being made, it is directed that the Labour Court shall not proceed further with the matter until further orders. "

2. In view of the above, matter requires consideration.
3. Issue notice of the writ petition as well of the stay application to the respondent.
4. In the meanwhile and until next date, the effect and operation of the award dated 01.12.2020 passed by the learned Labour Court, Kota in Application No. 28/2016 titled as '*Devendra Kumar Dadhich Vs. Manager, Dainik Bhaskar Corporation Limited*' and subsequent proceedings, if any, shall remain stayed.

(NUPUR BHATI),J