

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 879/2026

Hero Motocorp Employees Union through General Secretary Subodh Behera, Head Office House No. 7/156, Bhiwadi, District Alwar. Presently Representing Chairman Shri Jayesh Kumar.

-----Petitioner

Versus

1. Additional Registrar of Trade Union and Divisional Labour Commissioner, Hasanpura, Jaipur
2. Hero Motocorp Ltd., Plot No. 101-103-108-109, Riico Industrial Area Phase-2 Delhi-Jaipur National Highway, Neemrana, District Alwar-301705 (Rajasthan)

-----Respondents

For Petitioner(s)	:	Mr. Dharmendra Jain
For Respondent(s)	:	Mr. Ashwinee Kumar Jaiman with Mr. Daksh Pareek, Mr. Arjun Singh, Mr. Ashish Kabra and Mr. Keshav Parashar

HON'BLE MR. JUSTICE ANAND SHARMA

Order

24/02/2026

1. This writ petition has been filed by the petitioner against order dated 21.11.2025 passed by the Industrial Tribunal and Labour Court, Alwar (hereinafter to be referred as 'the learned Labour Court') whereby the application submitted by the petitioner for ignoring the reply filed by respondent No.2 has been rejected.

2. Learned counsel for the petitioner submits that as per the provisions of Trade Unions Act, 1926, only the registration authority, which has cancelled the registration of trade union has got right to file reply to the appeal and no other party can file

reply so as to justify action taken by the registration authority. Learned counsel submits that in case, reply filed by respondent No.2 is taken on record, and is considered on merits, it would frustrate the scheme of the Act, therefore, order dated 21.11.2025 passed by the learned Labour Court is without jurisdiction and is liable to be quashed and set aside.

3. The writ petition was opposed by learned counsel for respondent No.2. He submitted that since respondent No.2 was also a party to the appeal and notices were received by respondent No.2, therefore, in order to counter the allegations in appeal, it was necessary for respondent No.2 to file reply to the appeal, therefore, no mistake whatsoever has been committed by the learned Labour Court in taking the reply of respondent No.2 on record and to dismiss the application filed by the petitioner for ignoring such reply.

4. Heard learned counsel for the parties and perused the record.

5. It is not disputed that respondent No.2 was also impleaded as party to the appeal by the petitioner-Union and since respondent No.2 received notices of the appeal, therefore, it was incumbent on the part of respondent No.2 to file reply to the appeal for placing its stand on record. Even otherwise, the petitioner- Union is alleged to be a Trade Union of workmen working with respondent No.2, hence, any dispute pertaining to registration of any employee of respondent- Company, reply filed by respondent No.2 cannot be said to be irrelevant.

6. In view of above, there is no scope of interference in discretionary order dated 21.11.2025 passed by the Industrial

Tribunal and Labour Court, Alwar and therefore, the writ petition filed by the petitioner, is hereby dismissed.

7. Learned Industrial Tribunal and Labour Court, Alwar is directed to decide the application No.1/2025 expeditiously, after providing opportunity of hearing to both the sides, strictly in accordance with provisions of law as contained in Trade Unions Act, 1926.

8. Pending application(s), if any, also stand(s), disposed of.

(ANAND SHARMA),J