

ITEM NO.29

COURT NO.11

SECTION IVB

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).6388/2003

(From the judgement and order dated 26/09/2002 in WP No.15540/2002
of The HIGH COURT OF PUNJAB & HARYANA)

NAGAR COUNCIL, MANDI GOBINDGARH

Petitioner(s)

VERSUS

BRAHMA PARSHAD & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 13/09/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Ajay Majithia, Adv.
Mr. Ravindra Keshavrao Adsure,Adv.

For Respondent(s) Mr. Debasis Misra,Adv.
Mr. Kuldip Singh, Adv.

UPON hearing counsel the Court made the following
O R D E R

This petition is directed against order dated 26.09.2002 passed
by the Division Bench of the Punjab and Haryana High Court in Writ
Petition No.15540 of 2002.

Mr. Ajay Majithia, learned counsel appearing for the petitioner
very fairly stated that in view of the judgment of this Court in
Municipal Employees Union (Regd.) Sirhind and others vs. State of
Punjab and others, (2000) 9 SCC 432, he is not in a position to
persuade this Court to interfere with the impugned order.

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We appreciate the fairness shown by the learned counsel. At
the same time, we deem it proper to observe that the impugned order
passed by the High Court does not suffer from any legal infirmity
warranting interference under Article 136 of the Constitution. The
High Court has done nothing but except to observe that the State
Government is expected to obey and follow the law laid down by this

Court and give benefit to similarly situated persons. Simultaneously, liberty has been given to the writ petitioners to avail remedy under Section 33-C(2) of the Industrial Disputes Act, 1947. In our view, there is no valid ground to interfere with the innocuous order passed by the High Court.

With the above observation, the special leave petition is dismissed.

(Satish K. Yadav)
Court Master

(Phoolan Wati Arora)
Court Master