

CWP No.17229 of 2015

2025:PHHC:131971



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

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**CWP No.17229 of 2015
Date of decision: 22.09.2025**

KAWALJIT KAUR

..PETITIONER

VS.

**THE PRESIDING OFFICER INDUSTRIAL
TRIBUNAL LUDHIANA & OTHERS**

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sharwan Sehgal, Advocate for the petitioner.
(Through V.C.).

Mr. Ashok Gupta, Advocate for respondent No.2.

KULDEEP TIWARI, J.(ORAL)

1. The petitioner raised an industrial dispute by filing a demand notice, which was subsequently referred under Section 10 (1) (c) of the Industrial Disputes Act, 1947, for adjudication, as to whether, the termination of service of petitioner-workman is justified and in order. The award was decided against the workman, whereby, it was specifically held

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by the Implementing Committee, that the canteen where the petitioner was appointed to serve, does not qualify as an industry under the Act.

2. Learned counsel for the petitioner challenged the award (*supra*), arguing that the canteen is a part of State Bank of India, and there is no basis to exclude the State Bank of India from the ambit of industry.

3. On the other hand, learned counsel for the respondent-management draw the attention of this Court to the verdict passed by the Hon'ble Supreme Court in '***State Bank of India v. State Bank of India Canteen Employees' Union 2000 (3) Supreme 478***', to submit that the issue is no more *res integra*, and the similar issue has already been decided in favour of the management, and the Local Implementation Committee canteen, doesn't fall within the ambits of industry.

The relevant portion is extracted as under:-

"We, therefore, hold that employees of the canteens which are run at various branches by the Local Implementation Committees as per the welfare scheme framed by the SBI would not become employees of the Bank as the Bank is not having any statutory or contractual obligation or obligation arising under the Award to run such canteens. Hence, it is not necessary to decide the second question that fresh petition for the same cause was not maintainable in view of the order dated 14.10.1985 passed by this Court in Civil Appeal No.840 of 1977.

In the result, appeals (CA Nos. 552-553/1994) filed by the State Bank of India and others are allowed and the impugned judgment and order dated 2nd September, 1993 passed by the High Court of Calcutta is quashed and set aside. Appeal filed by the Workmen represented by the SBI Canteen Employees Union (Bengal Circle) against the Award dated 7th October, 1998 passed by the Central Government Industrial Tribunal, Calcutta in Reference No.2 of 1992 is dismissed. There shall be no order as to costs".

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4. Learned counsel for the petitioner is unable to refute the ratio laid down by the Hon'ble Supreme Court in the judgment (*supra*). Therefore, finding no merits in the instant petition, the same is **dismissed**.

September 22, 2025

Poonam Sharma

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No