

(1958) 08 AP CK 0013
In the Andhra Pradesh High Court
Case No : C.M.P. No. 5653 of 1958

Sri Ramachandra Spinning Mills

APPELLANT

Vs

Its Workmen (Pandalapaka Labour Union) and Others

RESPONDENT

Date of Decision : 18-08-1958

Acts Referred:

Industrial Disputes Act, 1947 — Section 2, 33, 7

Citation : (1959) 1 LLJ 244

Final Decision : Dismissed

Judgement

1. In regard to the question of jurisdiction, the petitioner relies on S. 33 of the Industrial Disputes Act (XIV of 1947) which runs thus :

"During the pendency of any conciliation proceedings or proceedings before a tribunal in respect of any industrial dispute, no employer shall -

(a) alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings; or

(b) discharge or punish, whether by dismissal or otherwise, any workman concerned in such dispute, save with the express permission in writing of the conciliation officer, board, or tribunal, as the case may be."

2. His argument is that the High Court is a "tribunal" in regard to labour disputes. But that expression has been defined in S. 2(r) of the Industrial Disputes Act as an industrial tribunal constituted under S. 7A of the Act. The High Court is not a tribunal contemplated under S. 33 of the Act and the petition is not maintainable. The petition is dismissed.