

appearing on behalf of the petitioner, requests for an adjournment stating that the petitioner is negotiating with the respondent for some amicable settlement. This, in my opinion, cannot be a ground for adjournment for admission hearing in a matter which is pending for the last about one year. I have carefully gone through the impugned award assailed by the management in the present writ petition. On going through the said award, I find that the plea of the management before the Labour Court was the denial of relationship of employer and employee between the parties. This plea taken by the management before the Labour Court was rightly rejected on account of the testimony of WW-2 (Labour Inspector) who had deposed that the proprietor of the management firm namely Mr. Mohal Lal has made a statement before the Labour Inspector in the conciliation proceedings that the workman was working with the management for the last four years. This testimony of the Labour Inspector before the Labour Court has remained unchallenged. In that view of the matter, I do not find any perversity or illegality in the impugned award that may call for an interference by this Court in exercise of its extraordinary discretionary writ jurisdiction under Article 226 of the Constitution.

3. In view of the foregoing, this writ petition is dismissed in limine. The stay application is also dismissed.

OCTOBER 21, 2009
'BSR'

S.N.AGGARWAL, J