



LPA-1213-2026 (O&M)

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

LPA-1213-2026 (O&M)

Reserved on : 08.07.2026

Pronounced on: 20.07.2026

Uploaded on: 21.07.2026

Satnam Singh

..... Appellant

VERSUS

Presiding Officer, Labour Court/Industrial Tribunal, Bathinda, District
Bathinda and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL
HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA**

Present: Mr. Deepanshu Mehta, Advocate, for the appellant.

DEEPINDER SINGH NALWA, J.

CM-2964-LPA-2026

For the reasons given in the application, which is supported
with an affidavit, delay of 33 days in filing the appeal is condoned.

Application is allowed.

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1 The present Letters Patent Appeal has been filed against the
judgment dated 02.02.2026 passed by the learned Single Judge, whereby,



the award dated 24.09.2013 passed by the Labour Court-cum-Industrial Tribunal, Bathinda has been upheld whereby, reference was decided against the appellant-workman.

2. Brief facts of the case are that the appellant-workman was employed on Class-IV post in the office of Civil Surgeon, Ferozepur on 30.04.1995. As per the appellant-workman, his services were terminated on 06.07.1997. Aggrieved against the action of the respondent-management in terminating the services of the appellant-workman, the appellant-workman served a demand notice in the year 2001, wherein, the case of the appellant-workman was that as he had worked for more than 240 days preceding the date of termination, as such, he was entitled for benefit under Section 25-F of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act). As per the appellant-workman, as no notice and compensation was given at the time of termination/retrenchment, the termination of the appellant-workman was bad in law and as such, he was entitled to be reinstated in service with all consequential benefits.

3. No settlement could be arrived at between the parties, as such, the matter was referred to the Labour Court-cum-Industrial Tribunal, Bathinda. The appellant-workman duly filed claim statement reiterating his stand as taken by him in the demand notice. The respondent-management also duly filed reply to the abovesaid claim statement filed by appellant-workman. It was the case of the respondent-



management that the appellant-workman was never employed on 30.04.1995. As per the respondent-management, the appellant-workman was employed on 30.04.1996 on 89 days basis. After expiry of the period as per the contract of service i.e. appointment letter, the services of the appellant-workman were dispensed with. As the services of the appellant-workman were dispensed with after expiry of the period as per the contract, therefore, it cannot be a case of “retrenchment” and as such, there was no requirement of compliance of Section 25-F of the Act. It was the case of the respondent-management that the case of the appellant-workman would come under the exception of Section 2(oo)(bb) of the Act. It was also the case of the respondent-management that the case of appellant-workman was duly considered for the purpose of regular appointment, however, the appellant-workman was not selected. It was also the case of the respondent-workman that as the industrial dispute raised by the appellant-workman was after inordinate delay and has become stale, as such, the claim raised by the appellant-workman is liable to be rejected.

4. The Labour Court-cum-Industrial Tribunal, Bathinda decided the reference against the appellant-workman vide award dated 24.09.2013. A perusal of the abovesaid award would show that a finding has been given by the Labour Court, Bathinda that as the services of the appellant-workman were dispensed with after the expiry of period of employment and there was a delay of more than 04 years in raising the



dispute, as such, the appellant-workman was not entitled for grant of any relief.

5. Aggrieved against the award dated 24.09.2013 passed by the Labour Court-cum-Industrial Tribunal, Bathinda, the appellant-workman filed a civil writ petition in this Court being CWP-2899-2015. The said writ petition was dismissed by the learned Single Judge vide judgment dated 02.02.2026. A perusal of the judgment dated 02.02.2026 passed by the learned Single Judge would show that the learned Single Judge has taken into consideration the fact that the services of the appellant-workman were dispensed with after the expiry of period for which he was engaged, as such, it cannot be held to be a case of termination/retrenchment and accordingly, no interference is called in the award dated 24.09.2013 passed by the Labour Court-cum-Industrial Tribunal, Bathinda.

6. Aggrieved against the judgment dated 02.02.2026 passed by the learned Single Judge, the appellant-workman has filed the present appeal.

7. Learned counsel appearing on behalf of the appellant submits that once, the appellant-workman has worked for more than 240 days in preceding 12 months from the date of termination and the respondent-management has not complied with the provisions of Section 25-F of the Act at the time of termination/retrenchment, as such, the appellant-



workman is entitled to be reinstated in service with all consequential benefits. He also submits that the object of giving various spells of contract of service by the respondent-department was for the reason to defeat the statutory protection given to the appellant-workman under the Act.

8. We have heard the learned counsel appearing on behalf of the appellant at length and have perused the record with his able assistance.

9. In regard to contentions raised by the learned counsel appearing on behalf of the appellant-workman is concerned, a perusal of the facts of the case would show that there is no dispute that the appellant-workman was employed on 89 days basis. It is not case of the appellant-workman that giving various spells of contract amounts to unfair labour practice. It is not in dispute that the services of the appellant-workman were dispensed with after expiry of the engagement period. It is well settled law that if the services of a workman is dispensed with after expiry of the recruitment period, the same would not amount to “retrenchment” and in such cases, there will be no application of Section 25-F of the Act, as such “retrenchment” would come under the exception of Section 2(oo)(bb) of the Act.

10. Even otherwise, a perusal of the facts of the case would also show that the appellant-workman raised a dispute after a delay of more



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than 04 years. It is well settled law that if dispute raised by the workman is stale, the workman is not entitled for grant of relief.

11. Taking into consideration the facts of the case, this Court finds no illegality and infirmity in the judgment dated 02.02.2026 passed by the learned Single Judge.

12. Accordingly, the present appeal is dismissed.

13. Pending miscellaneous application(s), if any, also stands disposed of.

(SUVIR SEHGAL)
JUDGE

(DEEPINDER SINGH NALWA)
JUDGE

20.07.2026
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No