

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

**CWP No.11545 of 2013 (O&M)**  
Date of Decision: 18.2.2015

M/s SAS International

..... Petitioner

Versus

Presiding Officer, Industrial Tribunal-cum-Labour Court and another

..... Respondents

**CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA**

Present: Mr. Mohit Garg, Advocate for the petitioner

Ms. Abha Rathore, Advocate for respondent no.2

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

**RAJIV NARAIN RAINA, J. (Oral)**

A case of closure of the office of the Company in Faridabad as set up by the petitioner-Management has neither been pleaded before the Labour Court nor in the present writ petition. The Management tendered evidence by way of affidavit, but did not present itself for cross-examination and the documents were also not put to the workman during his evidence.

Having heard the learned counsel for the parties at length, I find no ground to interfere in the award of the Labour Court given the restrictions placed by Articles 226/227 of the Constitution as explained in *Syed Yakoob vs. K.S. Radhakrishnan*; AIR 1964 SC 477.

A new case in writ proceedings cannot be set up for the first time, in

**CWP No.11545 of 2013 (O&M)**

**:2:**

view of the decision of the Supreme Court in **Harjinder Singh vs. Punjab State Warehousing Corporation**, 2010 (3) SCC 192.

In view of the above, I find no merit in this petition. Dismissed.

**18.2.2015**  
**MFK**

**(RAJIV NARAIN RAINA)**  
**JUDGE**