

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 10787 of 2015
Date of decision : May 26, 2015

Smt. Satal

..... Petitioner

Versus

**The Presiding Officer, Industrial Tribunal-cum-Labour Court,
Hisar and others**

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Kanhiya Soni, Advocate
for the petitioner.

1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

Amit Rawal, J (oral).

The challenge in the present writ petition is to the award dated 6.4.2012 (Annexure P-7) whereby evidence of the petitioner was closed and the reference was rejected and order dated 21.9.2012 (Annexure P-10) whereby application for recalling of the order dated 6.4.2012 had also been dismissed.

Learned counsel appearing on behalf of the petitioner submits that in case the petitioner is granted one opportunity to lead evidence the petitioner shall lead the entire evidence in support of her claim.

The workman is stated to have submitted an affidavit in examination-in-chief and also application for summoning

the record and was partly examined but thereafter till the passing of the impugned order dated 6.4.2012 the petitioner never appeared, much less offered herself for cross examination and since the Management has been prevented from cross examination, the Labour Court dismissed the reference for want of evidence. The petitioner is stated to have moved an application for recalling of the order which has also been dismissed vide order dated 21.9.2012 (Annexure P-10).

No doubt that the petitioner has not offered himself for cross examination for two years. Be that as it may, the ends of justice would be met, in case the petitioner is granted one opportunity to examine herself and produce evidence in support of her claim.

Accordingly, the orders dated 6.4.2012 (Annexure P-7) and 21.9.2012(Annexure P-10) are hereby set aside. The matter is remitted back to the Labour Court. The Labour Court is directed to give one effective opportunity to the petitioner to offer herself for cross examination and produce the documents in support of her claim in accordance with law.

The writ petition stands disposed of.

(AMIT RAWAL)
JUDGE

May 26, 2015
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