

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Writ Petition No.20410 of 2011
Date of Decision: March 13, 2015

Manjit Singh

...Petitioner

Versus

The Presiding Officer, Industrial Tribunal, Amritsar & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

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?

Present: Ms.Ravinder Kaur Manaise, Advocate,
for the petitioner.

Mr.L.S.Virk, Addl.A.G.Punjab,
for the State.

AMIT RAWAL, J. (Oral)

The petitioner-workman has challenged the award dated 7.9.2011 (Annexure P-2) passed by the Labour Court, whereby his claim has been declined on two grounds, firstly, the Management has not been able to prove that the petitioner-workman had been in the employment of the respondent-department and secondly on the ground that the Forest Department is not an industry.

The respondent-Management before the Labour Court was proceeded against *ex-parte* after filing the written statement, but thereafter the representative of the Management appeared but did not lead any

evidence. Be that as it may, the fact remains that the Forest Department is an industry in view of the judgment rendered by the Division Bench of this Court in **State of Haryana Versus Ram Avtar and another, 2005(3) S.C.T. 287.**

In view of the fact that the Forest Department is an industry, the finding of the Labour Court is contrary to the law laid down and is, accordingly, set-aside.

Since the petitioner is stated to have obtained certain documents and neither the Management had led evidence, this Court deem it appropriate to remit the case back to the Labour Court to decide the case between the parties to the lis afresh and both the parties shall be given opportunity to lead evidence in support of their case.

It is expected that the Labour Court shall decide the lis within a period of six months from the date of receipt of certified copy of this order.

The writ petition is disposed of accordingly.

March 13, 2015
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(AMIT RAWAL)
JUDGE