

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 14263 of 2015

Date of decision : July 20, 2015

Jasvir Singh

..... Petitioner

Versus

The Presiding Officer and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. S. S. Chauhan, 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 15.10.2014 whereby reference seeking the alleged termination viz-a-viz petitioner has been declined on the premise that the relationship of employer and employee had not been proved. The aforementioned finding came to be passed on the basis of previous award dated 15.6.2007 wherein the petitioner along with other co-workman sought regularization of his services and while deciding reference Labour Court arrived at a finding that there was no relationship of employer and employee, and same has attained finality.

Even in the present case also the petitioner before the Labour Court did not lead any evidence to show the relationship of employer and employee. The Labour Court on the basis of

aforementioned evidence held that though the workman had failed to prove the factum of relationship of employer and employee, therefore he cannot be termed to be a workman, much less employee of the Management.

The finding rendered by the Labour Court is based on fact and law after appreciation of oral and documentary evidence. I do not find any illegality or perversity in the award of the Labour Court dated 15.10.2014.

There is no merit in the writ petition since the claim of the workman is totally misconceived.

The writ petition is accordingly dismissed.

(AMIT RAWAL)
JUDGE

July 20 , 2015
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