

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 14516 of 2014
Date of decision : July 22, 2015

Paramjit

..... Petitioner

Versus

**Presiding Officer Industrial Tribunal-cum-Labour Court-II and
others**

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Vikas Gupta, Advocate for
Mr. Gurpreet Singh, 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 petition is to the award dated 10.12.2014 (Annexure P-1) whereby reference has been decided in favour of the worklady awarding compensation of ₹1 lac owing to the fact that the worklady-petitioner has rendered a service of Sweeper for a period of two years that too on daily wages. Since the worklady has failed to prove the availability of post and work when she was appointed on daily wages, the Labour Court though found that the termination of the worklady was not in consonance of provisions of Section 25-F of the Industrial Disputes Act, 1947, but it is settled law that even if such a finding has been arrived at, reinstatement is not automatic but it has to be seen that such post

and work is available or not.

Keeping in view the aforementioned fact, the Labour Court had directed the Management to pay compensation of ₹1 lac for the services rendered by the petitioner.

In my view, the finding rendered by the Labour Court is fair and legal. There is no illegality or perversity in the award of the Labour Court.

There is no merit in the writ petition, the writ petition is accordingly dismissed.

(AMIT RAWAL)
JUDGE

July 22 , 2015
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