

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.16632 of 2015

Date of Decision: 13.08.2015

Surender Kumar

... Petitioner

Versus

Engineer, Public Health Engineering
Department, Division-I, Rewari and others

... Respondents

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

Present: Mr. Narender Yadav, Advocate,
for the petitioner.

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

RAJIV NARAIN RAINA, J.

1. This is the case of lack of probative evidence to prove relationship of employment between the petitioner and the Executive Engineer, Public Health Engineering Department, Division-1, Rewari.

2. The only two documents relied upon before the Labour Court are sanction letters issued by the Executive Engineer, Public Health Engineering Department, Division-1, Rewari addressed to the Sub Divisional Engineer, Bawal. The first is memo # 10748 dated June 07, 2011 (Ex.PW-1/1) recognizing that one Surender Kumar contractor was engaged to supply unskilled labour @ Rs.1000/- per month per person. The second document is a lumpsum handwritten Bill showing payment made by contractor Surender Kumar in which the name of the petitioner has not been even mentioned. It appears to be a receipt with respect to work relating to

Mtc w/s Bas Duda which certifies payment of Rs.15,000/- to persons

unknown. The Labour Court has rightly not relied on these papers as proof of employment and has declined the reference. The memo dated June 07, 2011 Ex.PW-1/1 has not been attached with the paper book but has been shown by the learned counsel in photocopy which is duly exhibited on the record of the Labour Court on January 25, 2013.

3. No ground is made out for interference in the award dated October 01, 2014 passed by the Presiding Officer, Industrial Tribunal-cum-Labour Court-1, Gurgaon.

4. The petition stands dismissed.

(RAJIV NARAIN RAINA)
JUDGE

13.08.2015
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