

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CWP No.20483 of 2013  
Date of Decision:17.09.2015**

|                                                                            |        |                 |
|----------------------------------------------------------------------------|--------|-----------------|
| Prithvi                                                                    | Versus | ... Petitioner  |
| Presiding Officer, Industrial Tribunal-cum-<br>Labour Court, Rohtak & ors. |        | ... Respondents |

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

Present: Mr. Pankaj Jain, Advocate,  
for the petitioner.

Ms. Vibha Dhiman, AAG, Haryana.

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

**RAJIV NARAIN RAINA, J.(Oral)**

The Labour Court has refused relief on the ground that the termination took place on 15.11.1997. The dispute was raised by the workman for the first time by serving demand notice on 2.1.2002, which is about a little short of 6 years. In such a case, even though there was non-compliance of Section 25-F of the Industrial Disputes Act, 1947 at the time of retrenchment, but delay dissuades this Court from interfering with the discretion exercised by the Labour Court judiciously and judiciously by reason of inordinate delay to see reinstatement to a position of a Beldar in the Forest Department of the Haryana Government. During this time the Government has reorganized and rearranged its manpower needs and it would be unfair to disturb the equilibrium achieved and settled for a long time. This Court would apply the law laid down by the Supreme Court in **Nedungandi Bank Ltd. vs. K.P. Madhavankutty & ors., (2000) 2 SCC 455** and dismiss the writ petition on the ground of

delay and laches, even though no limitation is provided under Section 10 of the Act. This is not found a fit case for moulding the relief since delay may have led to weeding out of muster roll record meanwhile.

Accordingly, the petition is dismissed.

**17.09.2015**  
**monika**

**(RAJIV NARAIN RAINA)**  
**JUDGE**