

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

ARCHANA ARORA
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CWP No. 19013 of 2014
Date of decision : July 22, 2015

Naval Kishore

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. O. S. Batalvi, Advocate
for the petitioner.

Amit Rawal, J (oral).

The challenge in the present petition is to the finding rendered by the Labour Court while dealing with the applications under Section 33-C (2) of the Industrial Disputes Act, 1947 (hereinafter referred to as 'the Act') holding therein that since the workman has not been able to prove whether he was appointed as Road Roller, Clerk or driver. Without there being any finding of evidence, the claim under Section 33-C(2) of the Act is not maintainable.

There is no illegality and perversity in the award of the Labour Court. It is true that the claimant has to prove first his nature of avocation/job. Without there being any proof, the provisions of Section 33-C(2) of the Act could not have been invoked.

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

(AMIT RAWAL)
JUDGE

July 22 , 2015
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