

In the High Court of Punjab and Haryana at Chandigarh

**CWP No. 8338 of 2012
Decided on 17.3.2015**

Army Public School and another

--Petitioners

Vs.

Presiding Officer, Industrial Tribunal, Jalandhar and another

--Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Ravi Singh, Advocate, for the petitioners

Mr.Aakash Singla, Advocate, for respondent No.2

Rakesh Kumar Jain,J: (Oral)

The petitioner has challenged the award of Industrial Tribunal,Jalandhar, dated 29.3.2012, whereby the reference has been answered in affirmative, order of termination of services of respondent no.2.was held illegal and she has been ordered to be reinstated in service with 75% back-wages to be paid with 9% interest from the date it became due till the payment. She was also held entitled to continuity of service and all other consequential benefits.

The only argument raised by learned counsel for the petitioners is that as per appointment letter of respondent No.2. she was appointed as a Librarian, therefore, does not come within the definition of a workman as prescribed in Section 2 (s) of the Industrial Disputes Act, 1947 ('the Act').

I have heard learned counsel for the petitioners and perused the

From the appointment letter Annexure P-1, it is clear that respondent No.2 was appointed as a Librarian, though it was mentioned therein that she may not have to teach lower/higher classes. Learned counsel for the petitioners has admitted before this Court that respondent No.2. has never taught any lower/higher classes during her career and as per Annexure R-2/1, Principal of the School has also clarified that under the existing provision of the Army Welfare Education Society (AWES), her appointment is classified a non-vocational staff.

In view of the above, I do not find any merit in this petition.

Dismissed.

17.3.2015
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(Rakesh Kumar Jain)
Judge