

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CWP No.3341 of 2015
Date of Decision: 25.02.2015**

Rajeev alias Ravi

... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present: Ms. Garima Sharma, 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.

The award of the Labour Court, Hisar dated May 28, 2010 has been challenged in this petition after four years and nine months. Though there are no limitations in Section 10 (1) (c) of the Industrial Disputes Act, 1947 but in exercise of discretionary jurisdiction under Article 226 of the Constitution but when an award comes and is challenged then the question of delay and laches in approaching the High Court assumes significance and may furnish reason for denial in entertaining the petition at a highly belated stage. Besides, no sufficient cause has been shown or an explanation given in the petition of the reason which caused such huge delay in calling in question the award so as to furnish a reasonable ground for interference at this distance of time. If the workman has felt satisfied with the dispensation in the award of Rs.35,000/- as compensation in lieu of reinstatement then interference may not be justified.

For the reasons recorded above, I do not think it is proper to put the petition into motion against the department of the Government which has by passage of time reasonably assumed that the matter has become a dead ball. It would thus not be fair to set about unsettling settled things especially where employment is based on public posts, sanctions and budgets and the demands of Article 16 and competitive standards of employment under the State enshrined therein.

Dismissed.

(RAJIV NARAIN RAINA)
JUDGE

25.02.2015

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