

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

LPA No. 1003 of 2015 (O&M)

DATE OF DECISION : 27.08.02015

Vyas Dev

.... APPELLANT

Versus

Presiding Officer, Labour Court-cum-Industrial Tribunal, Chandigarh and
another

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. D.K. Nagar, Advocate,
for the appellant.

* * *

SATISH KUMAR MITTAL, J. (Oral)

This intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 24.04.2014 passed by the learned Single Judge, whereby the writ petition (CWP No. 2878 of 2014) filed by the appellant challenging the award dated 20.10.2012 (Annexure P-9) rendered by the Labour Court, Chandigarh, deciding the reference against him, has been dismissed.

Though there is delay of 370 days in filing the instant appeal and the appellant has filed an application (CM No. 2088-LPA of 2015) for condoning the said delay, yet we have heard learned counsel for the appellant on merits and have gone through the impugned order passed by the learned Single Judge as well as the award of the Labour Court.

In this case, the Labour Court decided the reference with regard to termination of the services of the appellant-workman, while recording the finding that before terminating his services, provision of Section 25-F of the Industrial Disputes Act, 1947 (hereinafter referred to as 'the Act') was duly complied with and the notice as well as compensation was given to the appellant. The contention of the appellant with regard to violation of Section 25-N of the Act was rejected, while recording a finding that in the establishment where the appellant-workman was working was having less than 100 workers, therefore, the provision of Section 25-N of the Act was not applicable.

Learned counsel for the appellant has not been able to dispute the aforesaid finding of facts on both the issues.

In view of the above, we do not find any error in the impugned order passed by the learned Single Judge, upholding the award of the Labour Court.

Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

August 27, 2015
ndj

(REKHA MITTAL)
JUDGE