

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.1251 of 2015

Date of decision: August 26, 2015.

Punjab National Bank

... **Appellant**

v.

Central Govt. Industrial Tribunal-cum-Labour Court and another

... **Respondents**

CORAM: **HON'BLE MR. JUSTICE HEMANT GUPTA**
HON'BLE MRS. JUSTICE RAJ RAHUL GARG

Present: Shri Saurav Verma, Advocate, for the appellant.

Hemant Gupta, J. (oral)

Present Letters Patent Appeal is directed against an order passed by the learned Single Bench of this Court on April 7, 2015, whereby finding of the learned Labour Court was upheld on preliminary issue No.1, holding that the domestic inquiry conducted by the management was not reasonable or fair and not in accordance with the principles of natural justice.

We do not find any error in the order passed by the learned Single Bench except to the extent that the management is required to prove misconduct before the Labour Court even if the learned Labour Court has found that the inquiry conducted is not fair and reasonable. Therefore, that part of the order, whereby the management was directed to hold a *de novo* inquiry, is substituted with liberty to the management to prove misconduct against the workman before the Labour Court.

Disposed of with aforesaid observations.

[**Hemant Gupta**]
Judge

[**Raj Rahul Garg**]
Judge

August 26, 2015.