

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

CWP-10700-2013

Date of Decision: 04.08.2016

Ramesh

....Petitioner

Versus

Presiding Officer Labour Court and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Sandeep Thakan, Advocate
for the petitioner.

Mr. Anil Mehta, DAG, Haryana.

P.B. BAJANTHRI, J. (ORAL)

In the instant writ petition, petitioner has assailed the award of the Labour Court dated 07.01.2013 vide Annexure P-3.

Learned counsel for the petitioner submitted that the petitioner was appointed as a Mali in the Forest Department, State of Haryana and his services have been stated to be terminated on 31.08.2004. The Labour Court considered the document made available for the period from 1991 to 2000, in this entire period, the petitioner has worked for 29 days in the month of October in 1996 and for 09 days in the month of July 1997. Thus, the petitioner has failed to made out a case so as to invoke various sections of the Industrial Disputes Act.

Learned counsel for the petitioner submitted that the records relating to the period from 2000 to 2004 were not made available by the learned counsel for the respondents and they have not produced any material for the said period, which could have revealed that petitioner has worked for more than 240 days.

Having regard to the fact that for the period from 1991 to 2000 petitioner has worked only for 38 days, and no material has been produced to demonstrate that the petitioner has worked for more than 240 days in the year 2003 and 2004, there is no error in the award dated 07.01.2013.

Accordingly, the present petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

August 04, 2016
ps-I