

In the High Court of Punjab and Haryana at Chandigarh.

CWP No.114 of 2016

Date of Decision: 07.01.2016.

Mangal Singh

...Petitioner

Versus

The Presiding Officer, Industrial Tribunal,
Amritsar and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. H.S. Batth, Advocate,
for the petitioner.

SABINA, J.

Petitioner has filed this petition challenging the
Award dated 19.11.2015.

I have heard learned counsel for the petitioner and
have gone through the record available on the file carefully.

Petitioner had raised an industrial dispute
challenging his termination. The dispute raised by the
petitioner was referred for adjudication to Industrial Tribunal,
Amritsar.

The case of the petitioner, in brief, was that he
was working with the respondent-Management since
17.03.1993 and his services had been terminated on
01.09.2012 without any notice, charge-sheet or payment of
retrenchment compensation.

The case of the respondent-Management was that
the petitioner had left the job after settling his accounts.

On the pleadings of the parties, following issues

were framed by the Tribunal:-

1. Whether the services of the workman were terminated by the management illegally and unlawfully? If so, to what relief/exact amount of compensation he is entitled to? OPW.
2. Whether the reference is not maintainable? OPM.
3. Relief.

Learned Tribunal while rejecting the claim of the petitioner has noticed that as per the receipt Exhibit MW-2 which was duly signed by the petitioner, he had received ₹67,000/- towards full and final settlement of his claim. Although, petitioner had denied his signatures on the said receipt while appearing in the witness-box but he had failed to examine any expert to establish that the signatures on Exhibit MW-2 were not his. MW-1 Kuldeep Singh had proved the execution of receipt Exhibit MW-2 and had stated that the same had been duly signed by the petitioner.

Since, the petitioner had failed to rebut the due execution of Exhibit MW-2, the learned Tribunal had rightly held that the petitioner was not entitled to any relief.

No ground for interference by this Court under Article 226 of the Constitution of India is made out.

Dismissed.

January 07, 2016
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(SABINA)
JUDGE