

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No. 14451 of 2016(O&M)
Date of decision: 14.09.2016

The Bhikhi Khatra Cooperative Agricultural Service Society Ltd.

.... Petitioner

Versus

Industrial Tribunal, Ludhiana and and another

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr.Vikas Singh, Advocate for the petitioner.

P.B. Bajanthri, J. (Oral)

The petitioner has assailed the Award dated 20.01.2016 passed by Industrial Tribunal, Ludhiana vide Annexure P-6.

2. Services of respondent No. 2-workman was terminated on 31.05.2002 based on a resolution dated 13.05.2002 passed by the society. Perusal of the records reveals that termination is due to misappropriation of societies' fund by both respondent No.2 and his father-Sh. Swaran Singh, the then Secretary of the Society. As per the Punjab State Cooperative Agricultural Service Society Service Rules, 1997 (hereinafter referred as 'the Rules of 1997') for any mis-conduct committed by employees of the society they would be subjected to disciplinary proceedings. The petitioner has not resorted to disciplinary proceedings before termination of respondent No.2-workman. Thus, there is violation of non-compliance of conduct rules. Therefore, there is no infirmity in the Award dated 20.01.2016.

3. The Award dated 20.01.2016 would not come in the way of initiating disciplinary proceedings against respondent No.2-workman as per the Rules of 1997. If the petitioner intends to initiate disciplinary proceedings, the same shall be initiated and completed within a period of 6 months from today.
4. Accordingly, Civil Writ Petition stands disposed of.

14.09.2016
pooja saini

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasons	Yes/No
Whether Reportable:	Yes/No