

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

**CWP No. 14504 of 2016 (O&M)  
Date of decision: 25.07.2016**

Vijay Kumar

....Petitioner

Versus

Presiding Officer and another

.... Respondents

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

Present: Mr. Sachin Gupta Lawda, Advocate for the petitioner.

**P.B. Bajanthri, J.(Oral)**

In the instant writ petition, petitioner has questioned the award dated 27.10.2015 passed by the Central Industrial Tribunal-cum-Labour Court-I, Chandigarh. Petitioner-workman was appointed as a Security Guard. Thereafter, his services were terminated. After completion of various formalities before the Labour Department, reference was made on 21.01.2013 which was the subject matter before the Central Industrial Tribunal-cum-Labour Court-I, Chandigarh. On 27.10.2015 the Central Industrial Tribunal-cum-Labour Court-I had rejected the reference for want of prosecution of the reference case. Since representative of the workman could not furnish information to the workman regarding date of posting of the reference etc. therefore, for no fault of the workman, reference has been rejected for non-prosecution. Therefore, I am of the view that the award dated 27.10.2015 for non-prosecution of reference dated 21.01.2013 is to be set aside.

Award dated 27.10.2015 is set aside.

The Central Government Industrial Tribunal-cum-Labour Court-I, Chandigarh is directed to hear reference dated 21.01.2013 (referred in Annexure P-3) afresh subject to payment of cost of Rs. 1000/- to be deposited in Observation and Special Home, Sector 25, Chandigarh.

CWP stands disposed of.

25.07.2016  
pooja saini

( P.B.BAJANTHRI )  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable:       | Yes/No |