

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.21986 of 2016

Date of Decision:- 22.10.2016.

Rachna Bharti

.....Petitioner

Versus

Presiding Officer, Labour Court, Chandigarh and others

.....Respondents

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

Present: Mr. Ravi Kant Sharma, Advocate for the petitioner.

P.B. BAJANTHRI, J. (Oral)

The petitioner has assailed the award passed by the Labour Court dated 2.3.2016 (Annexure P-12). The petitioner was stated to have been appointed on contract basis in the year 2005 for one year. The same was renewed from time to time. She has worked upto 30.9.2009. Thereafter, she was not re-appointed. The petitioner raised a dispute. The dispute was considered by the Labour Court on 2.3.2016 while interpreting Section 2 (oo) (bb) of the Industrial Disputes Act, 1947 (for short 'the Act') read with the decision of the Apex Court passed in **Harmohinder Singh Vs. Kharga Canteen, Ambala Cantt., 2001(5) SCC 540** that a contract appointee has no right to continue on the expiry of the contract.

Learned counsel for the petitioner submitted that petitioner would get right to continue in employment since she has been appointed on contract basis from time to time on yearly basis from 2005 to 2009.

Therefore, there is a violation of Section 25-F of the Act. Perusal of Section 2 (oo) (bb) read with the decision passed by the Apex Court in **Harmohinder Singh Vs. Kharga Canteen, Ambala Cantt., 2001(5) SCC 540** which has been taken notice of by the Labour Court, there is no error committed by the Labour Court while passing the order on 2.3.2016 and deciding the reference No. 102 of 2011. The petitioner has not made out a case so as to interfere with the order of the Labour Court dated 2.3.2016.

Petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

October 22, 2016.

sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.