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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.27457 of 2015 (O&M)
Date of decision: January 05, 2016

Karnail Singh

.....Petitioner

Versus

The Presiding Officer and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Jagram Singh Cooner, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition challenging the award dated 20.12.2008 (Annexure P-1).

Learned counsel for the petitioner has submitted that the petitioner be granted one opportunity to enable him to lead his evidence.

The case of the petitioner, in brief, is that he was working with respondents No.2 and 3 on daily wage basis from the year 1996 to October, 2005 and his services were terminated on 27.11.2005. Petitioner raised an industrial dispute and the same was referred to the Labour Court Ambala for adjudication by the Appropriate Government.

A perusal of the impugned award dated 20.12.2008 (Annexure P-1) reveals that after framing of issues, the case was fixed for evidence of the petitioner.

However, petitioner was proceeded *ex-parte* vide order

dated 07.08.2008 as none had appeared on behalf of the petitioner. Thereafter, the case was adjourned for evidence of the Management. On 20.12.2008, representative of the Management made a statement that as the workman had already been proceeded *ex-parte*, they did not want to lead any evidence. Consequently, the claim of the petitioner was rejected.

The impugned award was passed on 20.12.2008 and was published in the official gazette on 10.02.2009. However, challenge to the said award has been made by the petitioner by filing the present writ petition in December, 2015. Petitioner had failed to prosecute with his case before the Labour Court and was proceeded *ex-parte* and has challenged the award before this Court by filing the present writ petition after a long delay. In view of the said facts, no ground for interference by this Court while exercising jurisdiction under Article 226 of the Constitution of India, is made out.

Dismissed.

(SABINA)
JUDGE

January 05, 2016
mahavir