

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

CWP No. 7017 of 2013 (O&M)

Date of decision: 22.08.2016

Manjit Singh

....Petitioner

Versus

Presiding Officer, Labour Court, Ludhiana and others

....Respondents

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

Present: Mr. Harsh Bunker, Advocate,
for the petitioner.

Mr. Sharwan Sehgal, Advocate,
for respondent No. 2.

P.B. BAJANTHRI, J. (Oral)

The petitioner has questioned the award dated 20.04.2007 passed by the Labour Court, Ludhiana, which is an ex parte award.

The respondent No. 2- Karnail Singh filed an application under Section 33-C (2) of the Industrial Disputes Act, 1947 claiming certain dues. The learned counsel for the petitioner submits that ex parte award dated 20.04.2007 be set aside and the matter be remand back to the labour Court. He has relied on two decisions of the Hon'ble Apex Court which are reported in **1980 Supp SCC 420, Grindlays Bank Ltd. Vs. Central Government Industrial Tribunal and others** as well as **2001 (10) SCC 534, Anil Sood Vs. Presiding Officer, Labour, Court II.**

In view of facts stated in the petition read with decisions of the Hon'ble Apex Court, ex parte award dated 20.04.2007 is set

aside and the matter is remanded back to the Labour Court, Ludhiana to decide the application under Section 33-C (2) of the Industrial Dispute Act, 1947 filed by the respondent- Karnail Singh afresh within a period of six months from today.

Petition is allowed, subject to payment of ₹ 20,000/-, to be paid to the workman-Karnail Singh. Costs shall be paid by the petitioner within a period of three months from today.

22.08.2016
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(P.B. BAJANTHRI)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No