

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

LPA No. 1606 of 2015

DATE OF DECISION : 08.02.2016

Jagtar Singh

.... APPELLANT

Versus

Presiding Officer, Industrial Tribunal, Patiala and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Gourav Goel, Advocate,
for the appellant.

* * *

SATISH KUMAR MITTAL, J. (Oral)

This intra-court appeal under Clause X of the Letters Patent has been filed by the workman against the order dated 04.09.2015 passed by the learned Single Judge, whereby the writ petition (CWP No. 18645 of 2015) filed by the appellant challenging the award dated 06.01.2010 rendered by the Presiding Officer, Labour Court, Patiala, has been dismissed on the ground of delay and laches.

We have heard learned counsel for the appellant and have gone through the award of the Labour Court as well as the impugned order passed by the learned Single Judge.

In this case, even as per the case of the appellant - workman, he continuously worked with the respondent – management for more than 240

days in a calendar year and his services were terminated without complying with the mandatory provision of Section 25-F of the Industrial Disputes Act, 1947 (hereinafter referred to as 'the Act'). The Labour Court found that services of the appellant - workman were terminated in violation of Section 25-F of the Act. However, keeping in view the length of service and the fact that the reference remained pending for more than 10 years, instead of ordering reinstatement of the appellant - workman, the Labour Court vide award dated 06.01.2010, awarded him compensation to the tune of ₹ 20,000/-.

The appellant – workman challenged the said award after more than five and half years, by filing the writ petition (CWP No. 18645 of 2015). The learned Single Judge did not entertain the said petition on merits after a long delay. The explanation for delay given by the appellant – workman was not accepted.

After hearing learned counsel for the appellant, and keeping in view the aforesaid facts, we are not inclined to interfere with the impugned order passed by the learned Single Judge.

No merit. Dismissed.

**(SATISH KUMAR MITTAL)
JUDGE**

February 08, 2016
ndj

**(HARINDER SINGH SIDHU)
JUDGE**