

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

Sr. No.101

LPA-167-2016(O&M)
Decided on : 11th February, 2016

The Divisional Forest Officer

.... Appellant

VERSUS

Chandi Ram

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MS. JUSTICE LISA GILL

Present: Mr. Anil Mehta, DAG, Haryana.

RAJIVE BHALLA, J. (Oral)

CM-331-LPA-2016

Prayer in this application is to condone delay of 16 days in filing the appeal.

Heard.

For reasons stated in the application and arguments addressed, the application is allowed and delay of 16 days in filing the appeal is condoned.

LPA-167-2016 (O&M)

The Divisional Forest Officer, Territorial, Forest Division, Bhiwani, challenges order dated 18.11.2015, passed by the learned Single Judge and award dated 05.02.2015, passed by the Industrial Tribunal-cum-Labour Court (hereinafter referred to as the 'Labour Court'), Hisar, by asserting that the workman did not work for 240 days in the preceding year and even otherwise, has not produced any evidence of his employment.

We have heard counsel for the appellant, perused the impugned order as well as the award but find no reason to entertain the appeal. The learned Single Judge and the Labour Court have recorded findings of fact that the respondent was in service with the appellant for a period of 12 years and his services were dispensed with without following the procedure prescribed by Section 25-F of the Industrial Disputes Act, 1947 (hereinafter referred to as the 'Act'). The appellant is unable to refer to any evidence that would even prima facie establish that provisions of Section 25-F of the Act were complied while dispensing with the services of the appellant.

Consequently, finding no merit, the appeal is dismissed.

(RAJIVE BHALLA)
JUDGE

11th February, 2016
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(LISA GILL)
JUDGE