

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

LPA No. 215 of 2016 (O&M)

DATE OF DECISION : 08.02.2016

Total Tele-film Private Limited

.... APPELLANT

Versus

Presiding Officer, Industrial Tribunal & Labour Court, Union Territory,
Chandigarh and others

.... RESPONDENTS

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

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Rishi Pal Rana, Advocate,
for the appellant.

* * *

SATISH KUMAR MITTAL, J. (Oral)

The Management has filed this intra-court appeal under Clause X of the Letters Patent against the order dated 21.01.2016 passed by the learned Single Judge, whereby the writ petition (CWP No. 1205 of 2016) filed by the appellant challenging the award dated 01.09.2014 (Annexure P-4) rendered by the Presiding Officer, Industrial Tribunal & Labour Court, Union Territory, Chandigarh, awarding compensation of ₹ 60,000/- to the workman (respondent No.2 herein), in lieu of reinstatement, has been dismissed.

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, the Labour Court as well as the learned Single Judge have recorded a finding of fact to the effect that services of the respondent – workman were illegally terminated without any justification and without complying with the mandatory provision of Section 25-F of the Industrial Disputes Act, 1947. After arriving at the said conclusion, in lieu of reinstatement, compensation was awarded by the Labour Court vide award dated 01.09.2014. The said award of the Labour Court has been upheld by the learned Single Judge.

Learned counsel for the appellant tried to convince this court that the findings regarding illegal termination of the services of the respondent – workman were wrongly recorded by the Labour Court.

After hearing learned counsel for the appellant, we are of the opinion that the Labour Court, after properly appreciating the evidence available on record, has correctly recorded a finding of fact with regard to illegal termination of the services of the respondent – workman. The said finding of fact does not require any interference in this Letters Patent Appeal.

Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

February 08, 2016
ndj

(HARINDER SINGH SIDHU)
JUDGE