

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

LPA No.902 of 2016 (O&M)

Date of Decision: 26.05.2016

M/s Dewan Chand and Company

... Appellant

Versus

The Presiding Officer, Industrial Tribunal-cum-Labour Court-I, Gurgaon
and another

... Respondent

**CORAM: HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

1. Whether reporters of local newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the digest ?

Present: Mr. Munish Gupta, Advocate,
for the appellant.

MAHESH GROVER, J.

CM No.1873-LPA of 2016

There is a delay of 34 days in filing of this appeal.

Heard.

For the reasons mentioned in the application, delay of 34 days
in filing of appeal is condoned.

Application is allowed.

CM No.1874-LPA of 2016

Allowed as prayed for.

LPA No.902 of 2016

This is an appeal preferred against the judgment of the learned
Single Judge dated 29.01.2016 upholding the ex parte award of the
Industrial Tribunal-cum-Labour Court-I, Gurgaon.

Learned counsel for the appellant has contended that the

management was never served though the findings are to the contrary. They have been unable to show any infirmity in these findings so as to persuade us to take a different view.

We also notice that the management participated in the proceedings before the Labour-cum-Conciliation Officer, which is sufficient to negate the plea that the appellant-Management never had the knowledge of the industrial dispute and the workman was not their employee. It being so, when the appellant itself participated in the conciliation proceedings, the plea of workman not being their employee is a mere speculation. Since there is no legal infirmity in the findings recorded by the learned Single Judge, we decline to interfere with it.

Dismissed.

(MAHESH GROVER)
JUDGE

(SUDIP AHLUWALIA)
JUDGE

26.05.2016
Bhumika