

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

Date of decision: 06.03.2017

CWP No.18784 of 1996

Udho Ram ...Petitioner

Vs.

The Presiding Officer, Labour Court, Ludhiana & others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Sarwan Sehgal, Advocate, for the petitioner.

Ms. Sangita Dhanda, Advocate, for respondents No.2 to 4.

RAJIV NARAIN RAINA, J. (ORAL)

The workman went on unauthorized ex-India leave for far too long for the Court to come to his rescue by an order of reinstatement, continuity and back wages.

Having heard learned counsel for the parties and having perused the record, I concur with the findings recorded by the Labour Court that a fair and proper inquiry was held and the services of the petitioner were dispensed with by termination for misconduct. The Labour Court has held that the petitioner misrepresented the facts and overstayed leave without just cause or sufficient reason.

The petitioner was a Chowkidar, who overstayed leave from 03.10.1983 to 28.10.1983 and this has not been rebutted by the claimant in his evidence. He remained absent from duty from 25.02.1984 onwards and disciplinary proceedings were initiated against him. I would not, therefore, interfere in writ jurisdiction in the present petition and instead would dismiss the petition.

06.03.2017
Vimal

**[RAJIV NARAIN RAINA]
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No