

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CWP No.18524 of 1997(O&M)
Date of Decision: 03.04.2017**

Rajbir Singh

...Petitioner

Vs.

The Presiding Officer, Labour Court, Panipat & Another

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Rohan Sharma, Advocate,
for Mr. Vikram Singh, Advocate,
for the petitioner.

Mr. Deepak Manchanda, Advocate,
for respondent No.2.

RAJIV NARAIN RAINA, J. (Oral)

Memo of appearance has been filed on behalf of respondent No.2, which is taken on record.

The Labour Court has returned a finding of fact after appreciating the evidence that the workman had not put in 240 days of continuous and uninterrupted service with the employer. Within short span of service of about a year & two months, there were four broken periods of service i.e from 01.10.1992 to 15.12.1992, 12.04.1993 to 30.06.1993, 11.08.1993 to 30.08.1993 and lastly the petitioner was engaged from 04.10.1993 to 30.11.1993. For each of these periods, the petitioner was appointed for fixed tenure on part time basis.

For want of proof of jurisdictional fact, the labour Court has answered the award against the workman and I find no reason to disturb the

finding of facts only to reach a different conclusion. The award made by the Labour Court is for good and sufficient reasons. It is therefore, not obligatory on the employer to have complied with the provisions of Section 25-F of the Industrial Disputes Act, 1947.

No ground of interference is made out.

Dismissed.

(RAJIV NARAIN RAINA)
JUDGE

03.04.2017
neeraj

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>