

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

209

CWP No.14245 of 2013

Date of decision: December 06, 2017

The District Food and Supply Controller Sonapat

.....Petitioner

Versus

Santra Devi and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Rajesh Gaur, AAG, Haryana.

Mr. S.S. Kharb, Advocate for respondent No.2.

P.B. BAJANTHRI, J (Oral)

In the present writ petition, the petitioner has challenged the order dated 26.02.2013 (Annexure P-7), passed by the Labour Court.

The respondent was appointed as a Sweeper with the petitioner-Department on 13.01.1998 and she has worked up to 31.01.2004.

Perusal of the award dated 26.02.2013, it is crystal clear that there is a violation of Section 25(F) of the I.O. Act. Thus the petitioner has not made out the case so as to interfere with the award dated 26.02.2013. Award has been stayed by this Court on 08.07.2013, whereas the petitioner has made an arrangement in engaging services of the respondent-workman to discharge her duties for the post of Sweeper through the contractor.

Therefore, no interference is called for in respect of award

dated 26.02.2013.

Accordingly the petition stands dismissed. The concerned official of the petitioner-Department is hereby directed to cancel the arrangement of working of the respondent-workman through contractor and to restore the respondent's position that she was working directly under the control of the petitioner-department within a period of three months from today.

(P.B. BAJANTHRI)
JUDGE

December 06, 2017

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Whether speaking/ reasoned: Yes

Whether Reportable: No