

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-13078-2016 (O&M)

Date of Decision:-10.11.2017.

M/s Golden Surgical Works, Uttam Nagar, Basti Sheikh, Jalandhar

.....Petitioner

Versus

The Presiding Officer, Industrial Tribunal, Jalandhar and another

.....Respondents

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

Present: Mr. Sanjay Tangri, Advocate for the petitioner.

Mr. Sunny Singla, Advocate for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

In the present petition, petitioner has questioned the validity of the Labour Court award dated 21.7.2011 and order dated 12.4.2016 whereby application for setting aside ex parte award was dismissed (Annexure P-7 and P-12, respectively).

Undisputedly, in award dated 21.7.2011 Management is *ex parte*. Learned counsel for the Management submitted that due to communication gap, none represented before the Labour Court. It was further submitted that the matter was transferred from Jalandhar to Gurdaspur and further Gurdaspur to Jalandhar. Due to these factual aspects, the Management has not represented while deciding reference. In view of these facts and circumstances, *ex parte* award passed by the Labour Court dated 21.7.2011 is set aside and the matter is remanded to the Industrial

Tribunal, Jalandhar for deciding Reference No.193/2007 afresh within a period of six months from the receipt of certified copy of this order. The petitioners are liable to litigation cost to the respondent-workman to the tune of Rs.25,000/-. The same shall be paid within a period of 3 months from today. Parties are hereby directed to appear before the Industrial Tribunal, Jalandhar on 21.12.2017. They were directed to produce certified copy of this order for perusal.

Petition stands disposed of.

(P.B. BAJANTHRI)
JUDGE

November 10, 2017.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.