

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

CWP No.14441 of 2017

Date of Decision:24.07.2017

Narender Tyagi

... Petitioner

Vs.

Presiding Officer and another

... Respondents

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

Present : Mr. R.S. Malik, Advocate for the petitioner.

P.B. BAJANTHRI J. (Oral)

In the instant petition, the petitioner has questioned the validity of the award passed by the Labour Court dated 18.01.2017.

Petitioner has joined the services on 21.1.2000 as a Fitter. His services were transferred on 22.2.2012 to Ludhiana (Punjab). Petitioner has disobeyed order of transfer. Consequently, petitioner's services have been dispensed which is the subject matter of Industrial Dispute. Perusal of the record, it is evident that petitioner has not questioned the validity of transfer order dated 22.2.2012. In the absence of challenge to the order of transfer, subsequent order of termination cannot be interfered. The Labour Court in paras 12, 13 and 14 considered various decisions of the Supreme Court and High Court relating to disobedience of order of transfer by an employee.

In view of these facts and circumstances, petitioner has not made out a case so as to interfere with the Labour Court award dated 18.1.2017.

Accordingly, petition is disposed of. Reserving liberty to the

petitioner to raise issue relating to transfer on the score that the same is contrary to the standing orders before the appropriate forum only for the purpose of claiming compensation since petitioner has rendered 12 years of service from 21.1.2000 to 22.2.2012.

24.07.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned Yes/No

Whether reportable Yes/No