

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-6342-2011 (O&M)
Date of Decision:-12.09.2017.

State of Punjab and another

.....Petitioners

Versus

Jagdev Singh and another

.....Respondents

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

Present: Mr. Balbir Singh Sewak, Additional A.G. Punjab.

Mr. Rajesh Verma, Advocate for respondent No.1.

P.B. BAJANTHRI, J. (Oral)

Petitioners have challenged the validity of *ex parte* award dated 25.1.2011 (Annexure P-6).

The respondent-workman is stated to have been appointed as a Pump Operator on daily wage basis on 1.12.1992 and he has worked up to 31.3.1993 with certain breaks. The Labour Court proceeded to pass award in favour of the respondent-workman with reference to Exhibit WW-1/A which is an affidavit of the respondent-workman to state that he has worked as a Pump Operator from June, 1992 to 01.07.1993. Other than this, no document has been produced or considered.

In view of these facts and circumstances, *ex parte* award passed by the Labour dated 25.1.2011 is set aside and the matter is remanded to the Labour Court to decide the Reference No. 68/03 afresh. Parties are

hereby directed to appear before the Labour Court on 7.12.2017. The Labour Court is requested to decide the Reference within a period of six months from the date of receipt of certified copy of this order. Petitioners are liable to pay cost of ₹ 35,000/- to the respondent-workman as litigation cost within two months from today.

Petition stands disposed of.

(P.B. BAJANTHRI)
JUDGE

September 12, 2017.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.