

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-2300-2013 (O&M)
Date of Decision:-10.10.2017.

Santal Singh

.....Petitioner

Versus

The Presiding Officer, Industrial Tribunal-cum-Labour Court-I, Faridabad
and another

.....Respondents

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

Present: Mr. Shiv Kumar, Advocate for the petitioner.

Mr. Rajesh Gaur, Additional A.G. Haryana.

None for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

Petitioner was an employee of the respondent-M/s Clutch Auto Limited. While he was working, there were allegations against him in respect of misappropriation of a sum of ₹ 1,00,000/- for which he was subjected to parallel proceedings like criminal and disciplinary proceedings. In the disciplinary proceedings, his services were terminated on 11.7.1996, whereas, in the criminal case, he was acquitted on 09.06.2003. Faced with factual aspects, petitioner filed application under Section 33-C (2) of the Industrial Disputes Act, 1947 and it was dismissed by the Labour Court. Hence, the present petition.

Labour Court after recording the dates and events observed that

petitioner was subjected to parallel proceedings and it was concluded in imposing the penalty of termination and in criminal case he has been acquitted on 9.6.2003, refused to interfere with the application. Undisputedly, the petitioner's conduct in approaching the Labour Court with an application under Section 33-C (2) is much after his date of termination from 11.7.1996 that is in the year 2006. On the ground of delay and laches on the part of the petitioner, he is not entitled to any relief. Thus, no interference is called for in respect of Labour Court award dated 01.06.2012 (Annexure P-4).

Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

October 10, 2017.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.