

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

CWP No.15850 of 2017

Date of Decision:24.07.2017

The Primary Agricultural Co-operative Society Limited ... Petitioner

Vs.

The Presiding Officer and another ... Respondents

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

Present : Mr. Manoj Makkar, Advocate for the petitioner.

P.B. BAJANTHRI J. (Oral)

In the instant petition, the petitioner has assailed the award of the Labour Court dated 24.04.2017.

There is a specific finding in para-12 to the extent that respondent-workman had completed 240 days prior to termination of his services. Thus, there is a violation of Section 25-F of the Industrial Disputes Act, 1947 (for short "ID Act"). Petitioner is stated to have been working as a Chowkidar since 1.4.2007 and he has been terminated from service on 16.11.2009. Having regard to the finding given by the Labour Court to the extent that there is non compliance of Section 25 of the ID Act. There is no infirmity in the Labour Court award.

Learned counsel for the petitioner submitted that petitioner's initial appointment itself is not in accordance with law. Whereas the issue before the Labour Court is relating to whether respondent-workman's termination is in order or not?

Correctness of the workman's appointment was not subject matter. Therefore, no interference is called for.

Petition stands dismissed.

24.07.2017

rajeev

(P.B. Bajanthri)

Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No