

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

CWP No.16034 of 2017

Date of Decision:-25.07.2017.

Punjab School Education Board

.....Petitioner

Versus

Keemti Lal and another

.....Respondents

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

\*\*\*\*

Present: Mr. A.D.S. Bal, Advocate for the petitioner.

\*\*\*\*

**P.B. BAJANTHRI, J. (Oral)**

In the instant writ petition, petitioner has assailed the award passed by the Labour Court dated 26.5.2016 (Annexure P-3).

Learned counsel for the petitioner contended that Labour Court failed to appreciate the fact that the petitioner-Board have shown that they had given retrenchment compensation. The same has been refused by respondent-workman. Further respondent-workman's services have been terminated on 3 occasions and, thereafter, he was taken back to duty. Thus, there is no illegality in the order of termination. Hence, the award passed by the Labour is without application of mind and in not taking into consideration the fact that the petitioner-Board is ready to pay retrenchment compensation to the respondent-workman whereas the respondent-workman failed to accept the same.

Heard learned counsel for the petitioner.

Perusal of the award passed by the Labour Court in particularly para 13 to 17, it is crystal clear that there is no material evidence in respect of extending the benefit of retrenchment compensation. It is only an afterthought. Moreover, after respondent-workman's services were terminated petitioner-Board have engaged new workman in place of the respondent-workman. These materials have been taken into consideration by the Labour Court while passing the award on 26.5.2016. Hence, no interference is called for.

Accordingly, petition stands dismissed.

**(P.B. BAJANTHRI)**  
**JUDGE**

**July 25, 2017.**  
*sandeep sethi*

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.