

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

CWP No.24618 of 2013

Date of Decision:22.08.2017

Satnam Singh

... Petitioner

Vs.

The Presiding Officer and another

... Respondents

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

Present : Ms. Abha Rathore, Advocate for the petitioner.

Mr. Alok Mittal, Advocate for respondent No.2.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioner has assailed the award dated 18.8.2010 (Annexure P-1) as well as order dated 18.3.2013 (Annexure P-3) passed in the application for setting aside ex parte award.

Learned counsel for the petitioner submitted that it is an ex parte award. Petitioner could not appear on 21.7.2010, 2.8.2010 and 18.8.2010 the date on which award was passed. Otherwise from 2002 to 2010, petitioner has been appearing regularly before the Labour Court. It was submitted that petitioner suffered accident due to which there was a communication gap. Consequently, on three dates, representative of the petitioner/AR was present. However, evidence was not led.

Petitioner is stated to have submitted application for recalling order dated 18.8.2010. It was rejected on 18.3.2013.

In view of the above facts and circumstances, award dated 18.8.2010 (Annexure P-1) and order dated 18.3.2013 (Annexure P-3) are set aside. Parties are directed to appear before the Labour Court-I, Faridabad on 10.10.2017. The Industrial Tribunal-cum-Labour Court-I, Faridabad is

hereby requested to decide the reference afresh within a period of four months from the date of receipt of a certified copy of this order.

Petition stands disposed of accordingly.

22.08.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No