

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-19646-2017 (O&M)

Date of Decision:-26.10.2017.

Khalid Hussain

.....Petitioner

Versus

The Presiding Officer, Industrial Tribunal, Gurdaspur and another

.....Respondents

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

Present: Mr. Amandeep Singh Manaise, Advocate for the petitioner.

P.B. BAJANTHRI, J. (Oral)

CM-13867-CWP-2017

Annexures P-8 to P-10 are taken on record.

CM stands allowed subject to all just exceptions for the reasons stated in the application as well as affidavit.

CWP-19646-2017

Petitioner has challenged the award passed by the Labour Court dated 6.6.2017 (Annexure P-7).

Petitioner was appointed a Clerk on 5.12.1971. His services were relieved on 4.10.2001. Petitioner's presumption and assumption is that his services were terminated on 4.10.2001 and the same was disputed by the second respondent to the extent that petitioner has been retired and his services were relieved on 4.10.2001. Perusal of Annexure P-1, demand

notice is dated 4.5.2007 whereas, the petitioner has been relieved or

terminated on 4.10.2001. Thus, there is a delay of 6 years in raising demand notice. Having regard to the conduct of the petitioner in approaching authorities, petitioner has not made out a case so as to interfere with the Labour Court award dated 6.6.2017 (Annexure P-7) on the ground of delay and laches.

Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

October 26, 2017.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.