

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.4667 of 2013.

Date of Decision:-19.07.2017.

Darshan Singh

.....Petitioner

Versus

Industrial Tribunal, Bathinda and another

.....Respondents

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

Present: Ms. Sukhmani Patwalia, Advocate for the petitioner.

Mr. Amaninder Preet, Advocate for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

Petitioner has assailed the award passed by the Labour Court dated 17.11.2011.

Petitioner is stated to have been appointed on contract basis and not engaged on *ad hoc* service or permanent basis. Petitioner has failed to produce necessary material to show that his services were engaged as an employee. On the other hand, management-respondent have placed necessary material to show that petitioner's services have been engaged on contract basis. After examining the documentary and oral evidence, Labour Court has come to the conclusion that petitioner failed to establish that there is relationship of employer and employee and further relying on documents like Mark-1 to Mark-19 by the petitioner which is relating to making certain entries in the diary maintained by the petitioner and the same is not

corroborated by any evidence. Thus, Labour Court has rightly come to the conclusion that petitioner was appointed on contract basis for weaving web on a particular machine @ 350 per machine. Petitioner has not made out a case so as to interfere with the Labour Court award dated 17.11.2011.

Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

July 19, 2017.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.