

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.7540 of 2013.

Date of Decision:-18.07.2017.

M/s Thermo India, Bye-Pass Road, Sector 9, Faridabad

.....Petitioner

Versus

The Presiding Officer, Industrial Tribunal-cum-Labour Court-1, Faridabad
and others

.....Respondents

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

Present: Mr. P.S. Bajwa, Advocate for the petitioner.

Mr. Rakesh Kumar Sharma, Advocate for
respondent No.3.

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, petitioner has questioned the orders dated 19.2.2010 and 23.1.2013 (Annexure P-1 and P-2, respectively), passed by the Labour Court.

Respondent workman raised an industrial dispute while considering Reference No.305 of 2009 by the Industrial Tribunal-cum-Labour Court which proceeded *ex parte* in respect of the petitioner. Perusal of Annexure P-1 dated 19.2.2010, petitioner's address has been wrongly shown as Sector 29 instead of Sector 9. Thus, service of notice is incomplete due to communication gap and for want of correct address.

Learned counsel for the petitioner submitted that due to

incorrect address, petitioner could not appear before the Industrial Tribunal-

cum-Labour Court. Hence, Annexure P-1 and P-2 are liable to be set aside and matter be remanded back to the Labour Court.

Undisputedly, in the Labour Court proceedings, petitioner's address has been shown as Sector 29, Faridabad instead of Sector 9, Faridabad. Therefore, Annexure P-1 and P-2 are set aside and the matter is remanded to the Industrial Tribunal-cum-Labour Court-III, Faridabad for fresh adjudication. It is requested to the Industrial Tribunal-cum-Labour Court, Faridabad to decide Reference No.305 of 2009 afresh within a period of six months from today. Parties are directed to assist the Labour Court on fixed date.

Accordingly, petition stands disposed of.

(P.B. BAJANTHRI)
JUDGE

July 18, 2017.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.