

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

CWP No.6152 of 2015

Date of Decision:13.11.2017

Sanjeev @ Sanjay

... Petitioner

Vs.

Presiding Officer and another

... Respondents

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

Present : Mr. Sandeep K. Sharma, Advocate for the petitioner.

Mr. G.S. Wasu, Addl. A.G. Haryana.

P.B. BAJANTHRI J. (Oral)

Petitioner was working with the Government College, Badli, Jhajjar. His services were terminated which was subject matter before the Industrial Tribunal. Labour Court decided the dispute on 17.11.2014 holding that the petitioner has not completed 240 days. Hence, the present petition challenging the award passed by the Labour Court.

Learned counsel for the petitioner submitted that if the Sunday and general holidays are taken into consideration for the purpose of 240 days, in that event, he fulfills requisite 240 days.

Per contra, learned counsel for the respondents relied on a decision passed in LPA No.1669 of 2011 decided on 11.10.2012; **Ram Gopal v. The Presiding Officer and another** wherein this Court has held that for the Sunday and other holidays if the workman has not been paid, in that event, the same could not be taken into consideration for the purpose of determining 240 days. Thus, matter is squarely covered by the said decision.

Heard learned counsel for the parties.

Perusal of the award read with the LPA No.1669 of 2011 dated

11.10.2012, petitioner has not made out a case so as to interfere with the award passed by the Labour Court dated 17.11.2014.

Accordingly, petition stands dismissed in view of the decision passed in LPA No.1669 of 2011; Ram Gopal v. The Presiding Officer and another.

13.11.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**