

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

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CWP-29936-2017 (O&M)
Date of decision:22.12.2017

Surjeet Singh

....Petitioner

Versus

The Presiding Officer, Industrial Tribunal, Gurdaspur and others

.... Respondents

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

Present: Mr. Rohiteshwar Singh, Advocate for the petitioner.

P.B. BAJANTHRI, J. (ORAL)

In the instant writ petition, petitioner has challenged the award passed by the labour court dated 25.05.2016 (Annexure P1). Labour court recorded the finding in para No.11 as under:-

“11. It was bounden duty of applicant to prove that applicant was engaged as a daily wager by Punjab State Electricity Board on 31.12.1980 and thereafter, he has worked till retrenchment as alleged. However, when evidence adduced by him is evaluated, it is found that he has admitted in his cross examination that he is not in possession of any appointment letter or termination order. According to applicant, he was working under R.E., Division and he has not worked at Central Store, Sarna (Pathankot). According to him, his JEs' were Vinod Kumar and Des Raj, but he has not made any attempt to examine them for corroborating his version. He has stated in his cross examination that he had been approaching them, time and again, for the last 16 years to take him back in service, but in vain. On this

explanation cannot be accepted because a prudent man cannot wait for such a long spell if he is not getting justice from his alleged employer, if there is any discrimination on the part of employer.”

Petitioner could not satisfy this court relating to recording of finding by the labour court in para 11. That apart even though demand notice was issued on 05.05.2002 he did not pursue the matter till 2011. Even there is delay in approaching this court in questioning the award dated 25.05.2016 i.e., in the month of December, 2017. Having regard to the conduct of the petitioner in pursuing his grievance, petitioner has not made out a case so as to interfere with the labour court award dated 25.05.2016 (Annexure P1).

Accordingly, CWP stands dismissed.

22.12.2017

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons: Yes/No

Whether Reportable: Yes/No