

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.5968 of 2017.

Date of Decision:-13.07.2017.

Ravinder Kumar

.....Petitioner

Versus

Presiding Officer, Central Government Industrial Tribunal-cum-Labour
Court-II, Chandigarh and another

.....Respondents

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

Present: Mr. Sandeep Singh Ghangas, Advocate for the petitioner.

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, petitioner has assailed the award passed by the Labour Court dated 14.3.2016 (Annexure P-12).

Petitioner is stated to have joined as a Physiotherapist during the month of December, 1999 which was for a limited period and, thereafter, once again, he was appointed on 16.2.2002. His services were dispensed on 10.8.2005. Thus, he raised industrial dispute before the Industrial Tribunal stating that termination order dated 10.8.2005 is illegal etc. Perusal of the award, it is evident that there is no master and servant relationship between the petitioner and the respondent-Management as is evident from the agreement dated 14.1.2000 (Annexure P-7) entered into between the Management and M/s Chhabra Hospital. In other words, the petitioner was serving with respondent-Management through M/s Chhabra

Hospital. Thus, petitioner's appointment or engaging his services is through outsourcing. Hence, petitioner has not made out a case that the respondent-Management have directly engaged his services and terminated the same. Consequently, petitioner has not made out a case so as to interfere with the award dated 14.3.2016 vide Annexure P-12.

Petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

July 13, 2017.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.