

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-9046-2017 (O&M)
Date of Decision:-19.09.2017.

Davinder Singh

.....Petitioner

Versus

The Presiding Officer, Labour Court, Bathinda and others

.....Respondents

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

Present: Mr. Amandeep Sibia, Advocate for the petitioner.

P.B. BAJANTHRI, J. (Oral)

Petitioner has challenged the validity of the Labour Court award dated 7.1.2005 (Annexure P-8).

Petitioner is stated to have been appointed as a Tyreman in the month of February, 1985 and his services were stated to have been terminated/retrenched w.e.f. 31.12.1986. Petitioner raised an industrial dispute in the year 2001 and it was disposed of on 7.1.2005 against the petitioner. Thereafter, he has filed civil suit in the year 2010 and it was disposed of in the year 2013 on the ground of maintainability. Faced with these factual aspects, petitioner presented the present petition in challenging the award passed by the Labour Court dated 7.1.2005 (Annexure P-8). The petitioner's services were retrenched on 31.12.1986. He had cause of action within reasonable period i.e. on or before 31.12.1989. He had raised the industrial dispute only in the year 2001. He had suffered an order before the

Labour Court on 7.1.2005. Thereafter, he kept quiet and in the year 2010 he filed a civil suit and it was disposed of on the ground of non-maintainability in the year 2013. From 2013 to 2017 there is no explanation for presenting this petition. In view of the delay and laches on the part of the petitioner between 1986 to 2001 and 2005 to 2010 and 2013 to 2017, petitioner has not made out a case so as to interfere with the Labour Court award dated 7.1.2005 (Annexure P-8).

Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

September 19, 2017.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.