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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 7554/2003

SURESH KUMAR

..... Petitioner

Through None.

versus

MANG. OF AIR FORCE SR. SEC. SCHOOL

..... Respondent

Through None.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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09.11.2017

1. The present writ petition assails award dated 01.10.2003 passed by the Labour Court whereby it has decided the reference against the petitioner-workman by holding that the services of the workman had not been terminated by the respondent-management, but had come to an end by efflux of time.

2. I have perused the impugned award as well as the other documents placed on record. I am of the opinion that the findings of the Labour Court to the effect that the petitioner-workman had been appointed only on temporary basis for the period of 10 months on 14.10.1991 at a monthly consolidated salary of Rs.489/- are substantiated not only from the evidence tendered by the management but also from the cross-examination of the petitioner-workman himself. Pertinently, the petitioner has, in his cross-examination, clearly stated in the following terms:-

“It is correct that I was appointed on temporary basis, for 10 months only on 14.10.91 at the monthly salary of Rs.489/- consolidated.”

3. The Labour Court was thus fully justified in holding that the petitioner's services had come to an end by efflux of time as he had been specifically appointed only for a period of 10 months in accordance with the Director of Education's instructions dated 27.05.1991.

4. In view of the above facts, I find no infirmity in the Award passed by the Labour Court. However, since none of the parties is present, the petition is dismissed in default.

NOVEMBER 09, 2017
gm

REKHA PALLI, J