



4] Admittedly, as per the appointment letter issued to the Petitioner on 17/12/2003, he was appointed merely on a temporary/contract basis without having any nature of permanency in the job and as he was absent from the duty, his services were terminated.

5] As rightly submitted by learned counsel for the Respondent, the said termination of service falls under Section 2(oo) (bb) of *The Industrial Disputes Act, 1947* and therefore, it cannot be termed as a “retrenchment”.

6] Hence, as considered by the Labour Court, when admittedly his service was on temporary/contract basis and sufficient opportunity was given to him as to the cause for termination, as the receipt of various memos given to him is also admitted by him in his evidence before the Court, then no fault can be found in the impugned order passed by the Labour Court, thereby refusing the Reference.

7] Hence, the Writ Petition being without merit stands dismissed.

[DR.SHALINI PHANSALKAR-JOSHI, J.]