

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

739

**CWP-8870-2000 (O&M)
Date of decision:01.03.2018**

The Chief Scientist-cum-Head Krishi Vigyan Kendra

...Petitioner

Versus

Mahender Singh and others

.... Respondents

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

Present: Mr. Saurabh Gulia, Advocate for the petitioner.

Mr. Ashok Arora, Advocate for respondent No.1.

P.B. BAJANTHRI, J. (ORAL)

In the instant writ petition, petitioner has challenged the award passed by the Labour court dated 30.07.1999 (Annexure P-20).

2. Learned counsel for the petitioner contended that respondent-workman has worked from 1981 to 1990 whereas labour court failed to appreciate the factual aspect that respondent has not continuously worked. It was also submitted that records which were placed before the labour court has not been taken into consideration for the purpose of appreciating that respondent had abandoned the service.

3. Per contra, learned counsel for the respondent submitted that

labour court has taken note of various records including muster roll which are evident that there is violation of Section 25F of the I.D.Act. Therefore, no interference is called for.

4. Heard learned counsel for the parties.

5. Perusal of the award in particularly paras 9 to 12 it is crystal clear that respondent has worked in the year 1994-1995. Infact muster roll Ex.W3 relates to of the year 1995. Therefore, the contention of the petitioner that respondent has worked from 1989 to 1990 for 89 days only cannot be accepted which is contrary to the material like Exhibits W3 and W4. Therefore, there is no infirmity in the award passed by the Labour court dated 30.07.1999. Accordingly, CWP stands dismissed.

01.03.2018

pooja saini

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

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No