

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 04.12.2018****CWP No.4983 of 2005**

C.C.S. Haryana Agriculture University, Hisar through Registrar

...Petitioner

Vs.

Ishwar Singh & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

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

Mr. N.S.Choudhary, Advocate, for respondent No.1.

RAJIV NARAIN RAINA, J. (ORAL)

The petitioner – University has challenged the award of the Labour Court, Hisar made on 28.09.2004 holding that termination of services of the workman/respondent No.1 was not justified. The respondent has been awarded reinstatement with continuity and other consequential benefits along with 50% back wages from the date of demand notice i.e. 11.09.1995 till reinstatement.

Notice of motion was issued in this case on 29.03.2005 and it was also directed that the question of stay will be considered on the next date of hearing. After a few dates when the case again came up before the Division Bench on 28.03.2006, it was admitted to regular hearing. At that time it was pointed out by the learned counsel for the workman that wages have been paid and he has been reinstated in compliance of the award. In

view thereof, the Division Bench ordered that no interim order is required to be passed.

I have heard learned counsel for the parties and have perused the Award as well as documents on file with their assistance. The reinstatement of the petitioner has come from violation of Section 25-G of the Industrial Disputes Act, 1947, when person junior to him was retained in service and the 'first-come-last-go' principle was given a go by. Thus, I find no infirmity in the findings of fact recorded by the learned Labour Court after appreciating the evidence presented on record by the parties. There is no error apparent on the face of the record, which may warrant interference, when the workman was reinstated to service and all the back wages as awarded were paid to him.

Accordingly, no life is left in the petition and the same is ordered to stand dismissed.

04.12.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>