

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

**CWP No.10017 of 2013**

**Date of Decision:09.01.2018**

Sukhbir Singh

... Petitioner

Vs.

President District Red Cross Society Gurgaon and others

... Respondents

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

Present : Mr. Sandeep Kotla, Advocate for the petitioner.

Ms. Nupur Chaudhary, Advocate for respondent No.1.

**P.B. BAJANTHRI J. (Oral)**

In the instant writ petition, petitioner has challenged the award dated 13.03.2013 (Annexure P-11) passed by the Labour Court.

Petitioner was initially appointed on contractual basis during the period from 11.08.2005 to 11.01.2006. Subsequently, it was renewed from time to time and he has worked upto 11.11.2009. His service were engaged as Parking Attendant during the period from 2005 to 2006 and project relating to parking was closed on 11.11.2009. Consequently, petitioner's services were dispensed. Thus, petitioner raised industrial dispute. Labour Court passed award against the workman. Hence, the present petition.

Learned counsel for the petitioner submitted that he was initially appointed as a peon. Thereafter, his services were shifted under the parking project which was maintained by the respondents. It was further submitted that persons who were appointed subsequent to the petitioner were being continued in different project. Therefore, petitioner should have been continued in any one of the project maintained by the Red Cross

Society, Gurgaon.

Per contra, learned counsel for respondent No.1 submitted that petitioner has no legal or statutory right to seek any relief having regard to the nature of his appointment as a contractual and it is temporary appointment. The same has been taken note of by the Labour Court. Thus, no interference is called for.

Heard learned counsel for the parties.

Having regard to the nature of appointment of the petitioner that his services were engaged on contractual basis, he has no legal or statutory right to continue in parking project where he was accommodated during the period from 2005 to 2009 and it was closed on 11.11.2009. After closure of parking project, petitioner has no right to continue. Thus, petitioner has not made out a case so as to interfere with the award passed by the Labour Court dated 13.03.2013.

Accordingly, petition stands dismissed.

One of the contention raised by the learned counsel for the petitioner is that persons who were appointed subsequent to the petitioner were being adjusted in different project by the Red Cross Society. In this regard, Red Cross Society is hereby directed to verify whether any subsequent appointee is being continued or adjusted in any one of the project maintained by the Red Cross Society. If that is so, petitioner may be accommodated in any of the project maintained by the Red Cross Society on par with petitioner's junior in accordance with law.

09.01.2018  
rajeev

**(P.B. Bajanthri)**  
**Judge**

**Whether speaking/reasoned**                      **Yes/No**

**Whether reportable**                              **Yes/No**