

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-15908-2014 (O&M)

Date of Decision:-23.03.2018.

Budh Ram

.....Petitioner

Versus

The Presiding Officer, Labour Court, Rohtak and another

.....Respondents

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

Present: Mr. Sandeep Saini, Advocate for
Mr. Sumit Gupta, Advocate for the petitioner.

Mr. Rohit Arya, AAG, Haryana.

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, petitioner has challenged the award passed by the Labour Court dated 11.06.2012 (Annexure P-2).

2.) Petitioner is stated to have been appointed as Sweeper on 16.11.1998 on part-time basis. He has worked up to 28.02.2005 and his services were dispensed on 1.3.2005. Thereafter, he has issued a demand notice on 08.07.2005. Labour Court passed award against the workman on the ground that he failed to prove that his services were terminated. On the other hand, respondents have material to show that they have sent a communication to the petitioner on 07.10.2005 asking the petitioner to rejoin the duty which is taken into consideration by the Labour Court vide Exhibit M-16 in para No.9 of the award. Thus, it is evident that there is

inaction on the part of the petitioner during the intervening period from 28.02.2005 to 08.07.2005 and further he had not responded to the respondents' communication dated 07.10.2005 by which respondents have asked the petitioner to report for duty. In view of these facts and circumstances, petitioner has not made out a case so as to interfere with the award passed by the Labour Court dated 11.06.2012.

3.) Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

March 23, 2018.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.