

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-1012-2018 (O&M)
Date of Decision:-19.01.2018.

Narshi Sharma

.....Petitioner

Versus

Manager/Principal Officer, M/s Harsoria Health Care Pvt. Ltd. and others

.....Respondents

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

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

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, petitioner has challenged the award passed by the Labour Court dated 31.10.2017 (Annexure P-8). His services were engaged through contractor as is evident from the records; in particularly issue No.1 has been dealt with by the Labour Court in para 7 which is crystal clear that petitioner was not appointed directly with the principal employer and he has been appointed through contractor with M/s Harsoria Health Care Pvt. Ltd. Therefore, petitioner has not made out a case.

Learned counsel for the petitioner relied on decision reported in **2015(1) CLR 581 (State of Rajasthan Vs. Kailash Chandra and another)** to substantiate his contention that even though if an employee is appointed through contractor, in that case also employee is entitled to continue in service with the principal employer. The said decision is distinguishable for

the reasons that in the present case, undisputedly, petitioner was not appointed by M/s Harsoria Health Care Pvt. Ltd. Therefore, principle of relationship of employee and employer is not existing. Hence, the cited decision is distinguished. Thus, petitioner has not made out a case.

Petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

January 19, 2018.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.