

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-10561-2018 (O&M)

Date of Decision:-30.04.2018.

Municipal Council, Batala

.....Petitioner

Versus

Presiding Officer, Industrial Tribunal, Amritsar and another

.....Respondents

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

Present: Mr. J.S. Bhandohal, Advocate for the petitioner.

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, petitioner has challenged the validity of the award passed by the Labour Court dated 12.10.2017 (Annexure P-1).

2.) Learned counsel for the petitioner vehemently contended that respondent No.2 was appointed on daily wage basis, therefore, respondent No.2 has no right to hold the post. Thus, Labour Court has erred in extending all the service benefits as applicable to him and directing Management to pay compensation of ₹ 1,00,000/- along with interest. Perusal of the service particulars of the respondent to the extent that he was appointed initially on 9.1.1981 and his services have been dispensed on 30.06.2006. Labour Court proceeded to hold that there is a violation of Section 25-F of the Industrial Disputes Act, 1947. Reinstatement would be impracticable since respondent would have retired. Therefore, there is no

infirmity in the award passed by the Labour Court dated 12.10.2017.

3.) Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

April 30, 2018.
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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.