

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

CWP No.27208 of 2013

Date of Decision: 05.02.2018

Jagbir Singh

..... Petitioner

Versus

**The Presiding Officer, Industrial Tribunal-cum-Labour Court-II,
Gurgaon and another**

..... Respondents

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

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

Mr. Rohit Arya, AAG, Haryana.

P. B. BAJANTHRI J. (ORAL)

1. In the instant petition, the petitioner has challenged the award passed by the Labour Court dated 08.07.2013 (Annexure P-10).
2. The petitioner is stated to have been rendered service from 1993 to 1996 and further from 1996 to 2002. His services were stated to have been dispensed on 02.02.2002. He has raised a demand notice on 10.05.2003.
3. The petitioner has submitted his affidavit Exhibit P-1 and documents Exhibits P-2 and P-3. In the affidavit, he himself has deposed that he was appointed from 01.11.1993 to 03.02.1996. Further in his own statement, he has stated that he has worked upto 02.02.2002. No material has been placed except self serving statement. It was submitted that he had submitted an application for summoning the records vide Annexures P-5 and P-6. In Annexure P-5, the petitioner has sought for summoning the records relating to Muster Rolls, Pay Rolls, attendance registers etc. only

for the period from 01.11.1993 to 31.05.1994 whereas in Annexure P-6, he has sought to summon the records for the period from 1993 to February 2002 like the contingent bills, contingent sheets, cash book and ledger book. However, he has not summoned to Muster Rolls. This is evident that he has not worked from 1996 to 2002. Thus, Labour Court has not committed any error in not granting benefit to the petitioner-workman. At this juncture, summoning the records mentioned in Annexure P-6 may not be relevant for the purpose of whether the petitioner was serving from 1993 to 2002. The petitioner has not produced any material.

4. In the absence of material, no interference is called for in respect of the award dated 08.07.2013 passed by the Labour Court.

5. Accordingly, the petition stands dismissed.

(P. B. BAJANTHRI)
JUDGE

05.02.2018

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No