

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 19453 of 2018

Date of Decision: 13.08.2018

Dharamvir

... Petitioner(s)

Versus

Presiding Officer, Industrial Tribunal-cum-Labour Court, Panipat and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Vaibhav Jain, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present writ petition is challenge to the impugned award dated 31.10.2007 (Annexure P3), passed by respondent No.1-Presiding Officer, Industrial Tribunal-cum-Labour Court, Panipat (hereinafter referred to as “learned Tribunal”) whereby claim of the petitioner for his reinstatement into service with full back wages was declined.

Facts relevant for the decision of the present writ petition that petitioner was appointed as Beldar/Chowkidar by the official respondents against regular post and he was working as such since 01.12.1987. He had completed more than 240 days in a preceding year. However, on 01.12.1994 his services were terminated without assigning any reason and more so, he was neither charge-sheeted nor any enquiry was conducted against him nor any retrenchment compensation has been paid to him at the time of termination of his services. Thereafter, on the filing of claim

statement dated 30.12.1998 by the petitioner for his reinstatement in service with full back wages, the matter was referred to the learned Tribunal in the year 2000. The learned Tribunal passed the impugned award (Annexure P3) against the petitioner declining his claim in the year 2007, which has been challenged in this Court after a delay of more than 11 years. The petitioner has failed to give any valid explanation for such a long delay in approaching this Court. In view of the law laid down by Hon'ble the Apex Court on the point of delay and latches, in *Nedungadi Bank Ltd. Vs. K.P. Madhavankutty and Others AIR 2000 SC 839*, present petition stands dismissed.

(Shekher Dhawan)
Judge

August 13, 2018
“DK”

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