

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

CWP-6147-2014

Date of decision: 15.03.2018

Lalita Devi

... Petitioner

versus

The Head Master, Govt. Middle School & ors.

... Respondents

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

Present: Mr. Rohit Ahuja, Advocate
for the petitioner.

Mr. Rohit Arya, AAG, Haryana.

P.B.Bajanthri, J(Oral)

In the instant petition, the petitioner has challenged the award dated 29.11.2013 (Annexure P-4) passed by the Labour Court, Ambala.

2. The petitioner is stated to have been appointed as a Cook with respondent No.1 on 19.07.2004. Her services have been terminated on 15.10.2009. Her termination is based on the various complaints against her work.

3. Gram Panchayat, Brahmanan, Tehsil Bilaspur, District Yamunanagar passed a resolution to terminate the services of the petitioner based on serious allegations. Such a termination is without holding any inquiry. In other words, the petitioner has not been given any opportunity to counter the allegations.

4. Having regard to the fact that the petitioner has rendered services from 2004 to 2009 as a Cook before her termination, respondents should have resorted to hold an inquiry since termination is based on serious allegations. The same has not been apprised by the Labour Court,

therefore, the Labour Court award dated 29.11.2013 (Annexure P-4) is set

aside. Respondents are hereby directed to reinstate the petitioner and she is entitled to all consequential benefits from the date of termination till reinstatement. The present order would not come in the way of holding an inquiry against the petitioner if the respondents are of the view to hold an inquiry. Such inquiry should be completed within a period of six months after giving ample opportunities to the petitioner.

5. Accordingly, the present petition is disposed of.

15.03.2018
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(P.B.BAJANTHRI)
JUDGE

Whether reportable? Yes/No

Whether speaking/non-speaking? Yes/No