

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-9463-2013 (O&M)
Date of Decision:-27.02.2018.

Govardhan Dass

.....Petitioner

Versus

Presiding Officer, Labour Court, Ambala and another

.....Respondent

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

Present: Mr. Ravinder Jain, Advocate for the petitioner.

Mr. Rajesh Gaur, Additional A.G. Haryana.

P.B. BAJANTHRI, J. (Oral)

Perusal of the affidavit dated 12.02.2018, it is evident that petitioner was deputed to maintain sanitation in the School. Therefore, one has to presume that petitioner was employee of the Education Department. Therefore, finding of the Labour Court against the petitioner cannot be accepted. That apart learned counsel for the respondents submitted that Parent Teacher Association Rules were issued by the State Government. Consequently, petitioner whose services have been deputed for the purpose of sanitation work in the school is evident that he has been employed by the respondent-Education Department/school as a Sweeper during the period from 1998 to 2006. Thus, Labour Court has erred in giving finding against the petitioner. Accordingly, Labour Court award dated 29.01.2009

(Annexure P-6) is set aside. Respondents are hereby directed to take back

petitioner to duty as a Sweeper and extend 50% of the back wages.

Writ petition stands allowed.

(P.B. BAJANTHRI)
JUDGE

February 27, 2018.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.