

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

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CWP-7393-2016 (O&M)
Date of decision:17.04.2018

Gurmeet Singh

... Petitioner

Versus

The Presiding Officer, Industrial Tribunal, Bathinda and others

....Respondents

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

Present: Mr.S.S.Goraya, Advocate for the petitioner.

P.B. BAJANTHRI, J. (ORAL)

In the instant writ petition, petitioner has challenged the award passed by the Labour court dated 24.09.2015 (Annexure P1).

2. Undisputedly, petitioner was appointed on contract basis with the respondent for a particular period. As and when tenure is completed further fresh contract appointment was issued from time to time from one month to six months. Tenure completed and fresh contract appointment was not issued by the respondents. Consequently, petitioner cease to be contract appointee with the respondent. Perusal of the order of contract appointment it is evident that he was not appointed regularly. Therefore, he has no right to hold the post since post held by him is a tenure appointment. That apart respondents have not issued fresh contract appointment as and when contract period is over pursuant to Annexure P7 dated 21.05.2010. In view of these facts and circumstances, there is no question of considering

whether petitioner has completed 240 days in a year or not? Thus rightly labour court has passed award against the petitioner on 24.09.2014. Hence no interference is called for.

3. Accordingly, CWP stands dismissed.

17.04.2018

pooja saini

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No