

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

CWP-9051-2018

Date of Decision:03.05.2018

Balwan

... Petitioner

Vs.

The Presiding Officer and others

... Respondents

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

Present : Mr. Naveen Dahiya, Advocate
for the petitioner.

P.B. BAJANTHRI J. (Oral)

Petitioner has challenged the award passed by the Labour Court dated 6.11.2015 (Annexure P-15).

2. It is evident that petitioner has worked through contractor and no material has been placed on record by the petitioner that his services have been directly engaged by respondent No.1. In para 15, Labour Court recorded as under:

“15. From the evidence on the file, the claim of the petitioner that he was appointed by respondent No.1 directly as ward boy in the month of July 2001 and had worked on said post continuously upto October 2008 is not proved rather, from the evidence on the file specifically from Ex.W1 and Ex.W2. It goes to show that the respondent No.1 used to get the workdone through contractors the detail of the workdone through the contractors is as under:

Agreement-Duration of contractor/agency worked with Respondent No.1 as Ex.W1:-

- | | |
|---|--|
| <i>1. Lokesh Security from</i> | <i>01.04.2002 to 31.05.2002</i> |
| <i>--do--</i> | <i>01.08.2004 to 31.07.2005</i> |
| <i>2. Aman Security from</i> | <i>01.04.2003 to 31.07.2004</i> |
| <i>3. Shiv Security from</i> | <i>01.08.2004 to 31.07.2005</i> |
| <i>4. Devsaria Security from</i> | <i>01.08.2005 to 31.07.2006</i> |

5. *Dalda Security* from 01.08.2006 to 31.07.2007
--do-- 01.08.2007 to 29.02.2008
--do-- 01.06.2008 to 31.08.2008
--do-- 01.09.2008 to 28.02.2009
6. *Boss Security* from 01.08.2006 to 31.07.2007
--do-- 01.08.2007 to 29.02.2008
--do-- 01.03.2008 to 28.02.2009

Record of attendance bills submitted by Contractors to respondent No.1 and vouchers of Payment to the contractor by respondent No.1 as Ex.W2:-

1. *National Securities* from 17 August,2001 to March 2002
2. *Lokesh Securities* from April 2002 to March 2003
3. *Aman Securities* from April 2003 to July 2004
4. *Shiv Securities* from August 2004 to July 2005
5. *Devsaria Securities* from August 2005 to November 2005”

In view of the above, petitioner has not made out a case.

Accordingly, petition stands dismissed.

03.05.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned Yes/No

Whether reportable Yes/No