

**CM-3309-LPA-2017 in/and
LPA-1549-2017 (O&M)**

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

**CM-3309-LPA-2017 in/and
LPA-1549-2017 (O&M)
Date of Decision: August 07, 2018**

Raj Pal SinghAppellant
Versus
Presiding Officer, Industrial Tribunal, Gurdaspur and others
.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.K.S.Dadwal, Advocate for the appellant.
.....

SURYA KANT, J.(ORAL)

CM-3309-LPA-2017

For the reasons mentioned in the application, the same is
allowed subject to all just exceptions.

CM stands disposed of.

LPA-1549-2017

This Letters Patent Appeal assails the order dated 27.07.2017
whereby the learned Single Judge dismissed the appellant's writ petition and
has upheld the Award dated 25.04.2017 passed by the Labour Court-cum-
Industrial Tribunal, Gurdaspur.

[2] Briefly stated, the appellant raised an industrial dispute
claiming that he was appointed as Beldar on 08.06.2006 and by issuing a
transfer order on 04/14.09.2006, he was un-ceremonially relieved from the
job in October 2006.

appellant after observing that he was appointed for two months on the recommendations of a minister.

[4] It was a case of back door entry as neither the post was advertised nor other eligible candidates were considered. Still further, the workman remained silent for five years before raising the industrial dispute. The Award of the Labour Court has been upheld by learned Single Judge, who found that there is no violation of Section 25 F or other provisions of the Industrial Disputes Act, 1947 (for brevity, 'the 1947 Act'). It is also a fact that the appellant worked for two months only, i.e. from 01.08.2006 to 30.09.2006 and thereafter he was relieved. The industrial dispute was raised by him somewhere in the year 2011. Neither he had completed 240 days in employment nor pleaded or made out a case of violation of any other provision of the 1947 Act.

[5] No interference is, thus, called for in the order under appeal.

[6] Dismissed.

**(SURYA KANT)
JUDGE**

August 07, 2018
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**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned ?	Yes/No
2. Whether reportable ?	Yes/No