

(106) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.647 of 2017 (O&M) in
CWP No.343 of 2017
Date of decision: 06.04.2018

Balraj

.... Appellant

Versus

Presiding Officer and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL.
HON'BLE MR. JUSTICE B.S. WALIA.

Present: Mr. Sandeep Parkash Chahar, Advocate for the appellant.

Rajesh Bindal, J.

Order passed by the learned Single Judge dismissing the writ petition has been impugned by filing the present intra-court appeal.

The service of the appellant was terminated on 01.06.2001. Nearly three years thereafter, he got demand notice issued on 19.04.2004 which was rejected by the competent authority on 29.03.2005. Though, no statutory appeal as such was maintainable against the aforesaid order, but still the appellant preferred an appeal to the Commissioner on 17.06.2005 which was rejected on 28.03.2007, as not maintainable. Thereafter, the appellant kept quiet and filed claim statement before the Labour Court directly on 25.07.2011. The same was dismissed as highly belated. The award of the Reference Court has been upheld

by the learned Single Judge of this Court.

Considering the aforesaid facts of the case where stale claim is sought to be made by the appellant directly to the Labour Court, nearly a decade after he was terminated, the claim was rightly declined by the Labour Court. There is no error in the order passed by the learned Single Judge, in upholding the award of the Labour Court.

Accordingly, the present appeal is dismissed.

(Rajesh Bindal)
Judge

(B.S. Walia)
Judge

06.04.2018
amit

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