

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

205

CWP-9366 of 2012

Decided on : 26.02.2019

Kamaljit Singh

... Petitioner

Versus

Presiding Officer, Central Government IT-cum-Labour Court and ors.

...Respondents

CORAM : HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present : Mr.R.S.Thakur, Advocate for the petitioner.

Mr.G.S.Bal, Sr. Advocate with
Ms.Harmanpreet Kaur Advocate
for respondents No.2 and 3.

1. *To be referred to the Reporters or not?*
2. Whether the judgment should be reported in the Digest?

Rajiv Narain Raina, J. (Oral)

Workman's services were terminated in the year 1994. He raised demand notice in July, 1995. The management denies this fact and produces order dated 17.9.1998 terminating the services of the workman after ex parte enquiry.

Reference to the Labour Court as reproduced in the award reads as under:-

“ Whether the demand of the workman Sh. Kamaljit Singh s/o Sh. Mehar Singh that his services were terminated w.e.f. 27.4.1994 by the management of Northern Railway is legal and justified? If so, to what relief the workman is entitled.”

Termination of 1998 was not a subject matter of reference.

The petitioner took no steps to challenge the order either by way of a suit,

OA before the Central Administrative Tribunal etc. and/or remedy under

the Industrial Disputes Act, 1947. The Labour Court dismissed the reference with the finding that the services of the workman were not terminated with effect from 27.7.1994 by the management of Northern Railway and in the cross-examination, workman admitted that he had not made any written complaint to any authority that the officials are not allowing him to join duties.

I have no reason to differ with the order passed by the Labour Court. Petition is devoid of merit.

Dismissed.

[Rajiv Narain Raina]
Judge

26.02.2019
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No