

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

229

CWP-15516-2017 (O&M)
Date of decision: 27.01.2020

Gopal

.....Petitioner

versus

The Presiding Officer, Hisar and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Nishant Arya, Advocate
for the petitioner.

Ms. Safia Gupta, AAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The present petition has been filed by the petitioner *inter alia* with the prayer to set aside the award dated 13.03.2015 (Annexure P-8).

The brief facts which can be noticed are that he was initially engaged as Beldar-cum-Mali in the year 1987 and continued upto 13.11.1998. His services were terminated without compliance of Section 25-F of the Industrial Disputes Act, 1947. He accordingly raised an industrial dispute and vide award dated 23.01.2008, he was ordered to be reinstated along with 50% back wages from the date of demand notice. The Management filed the writ petition before this Court and vide order dated 26.05.2009, the award dated 23.01.2008 was set aside and compensation of Rs.95,000/- was awarded.

In the meantime, in compliance of the award dated 23.01.2008

(Annexure P-1), the petitioner-workman was offered job by the respondent on provisional basis subject to the decision in appeal. As has been noticed above, CWP-3048-2009 was filed by the Department, which was allowed on 26.05.2009. In the meantime, the petitioner in pursuance to order dated 17.03.2008, had joined on 19.03.2008 vide joining letter (Annexure R-2) and continued working till 03.05.2013. He had to be relieved of the services w.e.f. 01.04.2011 as he was only provisionally allowed to join vide order dated 17.03.2008 (Annexure R-1).

In view of the above facts, this Court is of the view that the workman-petitioner in view of the earlier decision of this Court dated 26.05.2009, is not entitled to any further relief.

The present writ petition is therefore dismissed.

No order as to costs.

(GIRISH AGNIHOTRI)
JUDGE

27.01.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No