

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.22155 of 2017
Date of Decision: 13.02.2020

UCO Bank

... Petitioner

VS.

PO Central Govt. Industrial Tribunal, Chandigarh & Anr. ... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Nonish Kumar, Advocate for the petitioner

Mr. Raj Kaushik, Advocate for respondent No.2

GIRISH AGNIHOTRI, J. (Oral)

(1) This writ petition has been filed by the petitioner – UCO Bank *inter alia*, praying for setting aside the order dated 22.11.2016 (P8) passed by respondent No.1 whereby opportunity to the petitioner-Bank for leading evidence on behalf of the management had been denied.

(2) The record of the case shows that notice of motion was issued on 27.09.2017 and further proceedings before the Labour Court was stayed.

(3) This Court deems it appropriate to quash the order dated 22.11.2016 for the following reasons:

(4) The petitioner has shown from the zimni orders reproduced in para 12 and has referred to the pleadings in para 13 and also para 14 of the writ petition to submit that in fact counsel for the Bank had been appearing and it was only on 22.11.2016 that the Labour Court passed the impugned order.

(5) Learned counsel for respondent No.2, however, disputes the same.

(6) Having heard learned counsel for the parties, this Court deems it appropriate to direct that the matter be remitted back at the same stage

where it reached on 22.12.2016 and the Labour Court may proceed further in accordance with law.

(7) However for the inconvenience caused to the workman for fighting the litigation before this Court, ₹ 20,000/- as cost is deemed appropriate to be imposed on the petitioner-Bank which shall be deposited with counsel for respondent No.2 within 20 days from today.

(8) The writ petition is accordingly allowed and the impugned order dated 22.12.2016 is quashed and the matter is remitted to the Labour Court as directed above. Considering that the matter pertains to the year 2005, the Labour Court is requested to grant two opportunities each to the parties to complete their evidence and thereafter maximum two opportunities each for making final arguments and then to conclude and pass the final order preferably within 9 months from the date of receipt of certified copy of this order.

(9) Parties are directed to appear before the Labour Court on 28.02.2020.

(10) Ordered accordingly.

13.02.2020
Vvishal

(Girish Agnihotri)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No