

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

LPA-1952-2019 (O&M)

Date of decision:- 23.01.2020

Darshan Singh Chawla and others

...Appellants

Versus

The State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present:- Mr. Vishal Sodhi, Advocate,
for the appellants.

* * * *

RAVI SHANKER JHA, C.J. (ORAL)

This appeal has been filed against an order dated 10.07.2019 passed by the learned Single Judge dismissing the writ petition being CWP-8069-1999 filed by the petitioners (appellants herein), wherein they prayed that they should have been granted the same benefits that were granted to 17 other employees who had been declared surplus and thereafter absorbed in Class III posts.

The appellants were erstwhile employees of the respondent No. 2 - Punjab Land Development and Reclamation Ltd. which was closed on 29.10.2003 by following the procedure prescribed under the Industrial Disputes Act, 1947. However, the process of closure of the respondent No. 2 started in the year 1994. Pursuant thereto, the appellants alongwith other employees were retrenched and while out of total 22 employees, 17 were absorbed against Class III posts, the appellants were offered absorption in Class IV posts which they did not accept. The appellants approached this Court stating that they too should also have been granted the same benefit of

absorption as was granted to 17 other employees. The retrenched employees were to be adjusted as per the terms of their appointment and qualifications.

The learned Single Judge after hearing the learned counsel and taking all the facts into consideration has dismissed the petition by stating that there was no material on record to indicate the academic qualifications of the 17 absorbed employees; that the appellants had only passed middle standard examination and had already crossed the age of 62, 63 and 73 years, respectively; that they were out of service after the payment of retrenchment compensation since 1999 and had not disclosed as to what they have been doing during this period.

Having perused the order and the record of the case, we do not find any perversity or illegality in the order passed by the learned Single Judge and agree with the reasons and conclusion for dismissing the petition and affirm the same.

The appeal filed by the appellants being meritless is accordingly dismissed.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

23.01.2020
Amodh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No