

In the High Court of Punjab and Haryana at Chandigarh

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CWP-3909-2022 (O & M)

Date of Decision: February 28, 2022

GULAB SINGH

.....PETITIONER

VERSUS

**THE PRESIDING OFFICER, PANIPAT
AND ANR**

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Rohit Choudhary, Advocate for the petitioner.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has challenged the award dated 10.02.2020 whereby his claim petition under Industrial Disputes Act has been dismissed.

Learned counsel for the petitioner contends that the petitioner had been orally appointed as a Sweeper by respondent No.2 to work at Panipat Bus-Stand. He had been appointed on 03.01.2016 on a monthly salary of ₹8100/- and had worked continuously till 01.04.2017. His services could not be terminated having worked for over 240 days in a year. He has referred to the certificate issued by the Station Supervisor on 05.11.2016 indicating that the petitioner was employed as Sweeper on contractual basis. The petitioner had also been paid a sum of ₹22,400/- by the Labour Commissioner on 17.04.2017 when he had made a claim that he was not paid the salary.

Heard.

The petitioner is stated to have been orally appointed as a Sweeper. A perusal of the material on record suggests that neither any appointment letter was issued to him nor he had been able to place on record

any document to indicate that he had worked for 240 days in a year. The order of the Assistant Labour Commissioner indicates that ₹22400/- was paid to the petitioner as settlement. Even assuming that the petitioner had worked for sometime and was paid an amount of ₹22,400/- for the same, the same by itself would not be conclusive that he had worked for 240 days in a year. The petitioner is also stated to have admitted in his cross-examination that no appointment letter had been issued to him and he does not have any appointment letter or any other proof to indicate that he had worked with the respondents.

Consequently, I do not find any merit in this petition, which stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

February 28, 2022
A.Kaundal

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