

In the High Court of Punjab and Haryana at Chandigarh

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**CWP-2317-2000 (O & M)
Date of Decision: March 02, 2022**

KULWANT SINGH

.....PETITIONER

VERSUS

P.O.L.C

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Vishal Sharma, Advocate for the petitioner.

Mr. Chirag Suri, Advocate and
Mr. Aman Sharma, Advocate for the respondent.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has challenged the impugned award dated 01.10.1999 whereby his claim petition had been dismissed by the Labour Court.

Learned counsel for the petitioner contends that the petitioner was working as a Chowkidar and his services had been illegally terminated without any proper opportunity of hearing or holding an inquiry. The claim petition should have been allowed and the petitioner is entitled to reinstatement with back-wages.

Learned counsel for the respondents, however, contends that the petitioner had been afforded adequate opportunity of hearing and after inquiry, his services were terminated. The petitioner was working as a Chowkidar and, therefore, it was his duty to protect the property of the respondent-Corporation. He had been convicted in the FIR under Section 411 IPC and was given the benefit of probation. The claim petition has been preferred after several years.

The allegations against the petitioner were serious inasmuch as he was found to be in possession of stolen property which belonged to the respondent-Corporation.

The petitioner is stated to have joined the respondent-Corporation as Chowkidar on 11.08.1978 . The services were terminated on 27.07.1984. He was drawing the salary of ₹350/- at that time. It is evident from the perusal of the material on record that the petitioner had been afforded adequate opportunity of hearing and an inquiry was also conducted with regard to the alleged misconduct and he was heard in person. The alleged termination had taken place on 1984 but the demand notice is stated to have been raised on 22.03.1989. The application for reference was rejected on 28.09.1989 but the petitioner is stated to have sent another demand notice and the Labour Commissioner by the order dated 15.04.1997 has referred the dispute for adjudication.

In view of the above, I do not find any infirmity in the impugned order rejecting the claim of the petitioner.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

March 02, 2022
A.Kaundal

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