

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

**CWP-18925-2016
Date of Decision: 26.07.2022**

Smt. Pushpa Rani

..... Petitioner

Versus

Presiding Officer, Union Territory, Chandigarh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Arun Gosain, Advocate,
for the petitioner.

Mr. Chanakya Pandit, Advocate,
for respondent No.2.

Mr. K.S.Sidhu, Advocate,
for respondent No.3.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of certiorari quashing the award dated 20.11.2015 (Annexure P-7) passed by respondent No.1 as also issuance of a writ of mandamus directing the respondents to reinstate the petitioner with all consequential benefits of continuity of service and full back wages, seniority and other benefits and allowances.

A perusal of the award shows that the Labour Court itself had recorded the findings that the petitioner was not the employee of respondent No.2 herein. Rather, she was the employee of respondent No.3. Therefore, respondent No.2 has not been held liable for anything by the Labour Court. This Court does not find anything wrong with that finding recorded

by the Labour Court. Even qua respondent No.3, the Labour Court has recorded the finding that the petitioner was deputed by the respondent No.3 to join her duties at Baddi, however, the petitioner had not joined at the place where the respondent No.3 had deputed her. Even, the medical document claimed by the petitioner in support of her alleged illness has not been proved to be sufficient to justify the refusal of the petitioner to join the duty. Hence, the Labour Court has not gone wrong while recording the finding that the petitioner herself had abandoned the job and that it was not a case of termination of service by the management. On that count also, even this Court does not find any illegality or perversity in the finding recorded by the Labour Court.

In view of the above, finding no merit in the present petition, the same is hereby dismissed.

(RAJBIR SEHRAWAT)
JUDGE

26.07.2022
adhikari

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No