

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

LPA-438-2023 (O&M)
Reserved on 21.04.2023
Date of Decision: 02.05.2023

Gulzar Singh

. . . . Appellant

Vs.

Presiding Officer, Labour Court, U.T. Chandigarh and others

. . . . Respondents

CORAM: HON'BLE MR JUSTICE M.S. RAMACHANDRA RAO
HON'BLE MRS JUSTICE SUKHVINDER KAUR

Present: Mr. H.S. Minhas, Advocate for the appellant.

M.S. RAMACHANDRA RAO, J.

1. This Letters Patent Appeal is filed challenging judgment dt.16.03.2023 in passed by the learned Single Judge in CWP-5239-2023.
2. The appellant had filed the said Writ Petition challenging an award dt.10.08.2006 rendered by the Labour Court, U.T. Chandigarh, to the extent it had declined relief with regard to orders of stoppage of increments prior to 1997, while setting aside the punishment awarded on 14.01.1997 on him.
3. He had approached the Labour Court challenging order dt.08.03.1978 whereby two increments were stopped with cumulative effect; order dt.12.09.1978 whereby one increment was stopped with cumulative effect; order dt.16.11.1978 whereby one increment was stopped with cumulative effect; order dt.16.11.1978 whereby two increments were stopped without

- cumulative effect; and order dt.14.01.1997 whereby one increment was stopped without cumulative effect.
4. In the award, the Labour Court set aside only the punishment imposed on 14.01.1997, but not the punishments of stoppage of increments passed earlier thereto. The Labour Court denied relief with regard to the earlier punishments by applying the principle of delay and laches.
 5. The learned Single Judge also agreed with the view of the Labour Court and opined that since the Writ Petition had been filed on 03.03.2023 challenging the award of the Labour Court passed on 10.08.2006, after a long delay of approximately 16 years, the appellant was guilty of delay and laches, and so, he is not entitled to any relief.
 6. Assailing the same, this LPA is filed.
 7. Though counsel for the appellant tried to contend that the appellant should have been granted relief both by the Labour Court and by the learned Single Judge with regard to the punishments imposed prior to 14.01.1997 i.e. six increments stopped between 08.03.1978 and 16.11.1978 by respondents No.2 and 3, we do not agree with the said contention for the reason that he did not give any satisfactory explanation to the Labour Court why such punishments imposed in the year 1978 were challenged by way of a reference sought on 26.03.2003 i.e. after 25 years of the event; and also why he has approached the Court on 03.03.2023 challenging the award passed by the Labour Court refusing him the said relief on 10.08.2006.
 8. The delay is inordinate and is not properly explained.

9. Therefore, we find no error in the order of the learned Single Judge warranting interference by us in exercise of jurisdiction under the Letters Patent Appeal.
10. Accordingly, this LPA stands dismissed.
11. Pending application(s), if any, also stands disposed of accordingly.

(M.S. RAMACHANDRA RAO)
JUDGE

(SUKHVINDER KAUR)
JUDGE

02.05.2023

Mohit Goyal

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

Yes/No
Yes/No