

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

CWP-12101-2013 (O&M)
Date of decision : 05.10.2023

THE SONEPAT CENTRAL CO-OPERATIVE BANK LIMITED,
SONEPAT THROUGH ITS MANAGING DIRECTOR/
GENERAL MANAGER AND ANOTHER

...Petitioners

Versus

PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, PANIPAT (HARYANA) AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Subhash Ahuja, Advocate
for the petitioners.

Mr. S.S. Mor, Advocate
for respondent No.2.

HARSH BUNGER, J.

1. The petitioners have filed the instant writ petition, *inter-alia*, seeking quashing of interim Award dated 13.12.2012 (Annexure P-1) passed by learned Presiding Officer, Industrial Tribunal-cum-Labour Court, Panipat (Haryana) whereby, it was held that the enquiry against the workman-Balbir Singh (since deceased) was not competent and not conducted in fair and proper manner and there is no evidence ever lead to prove the charges. Petitioners also seek quashing of the final Award dated 27.02.2013 (Annexure P-2) passed by learned Presiding Officer, Industrial Tribunal-cum-Labour Court, Panipat (Haryana) whereby, it was held that the termination of services of the workman-Balbir Singh (since deceased) is not legal, valid and proper and the workman-Balbir Singh (since deceased) was held entitled to reinstatement

with continuity of service and 50% back wages from the date of demand notice i.e. 13.12.2004.

2. Briefly, the workman-Balbir Singh (since deceased) joined service in the petitioner-Bank as a Secretary on 01.12.1975 and during his service, due to his acts of commission and omission, various punishments were imposed upon him from time to time. While serving as Secretary in Thana Kalan Co-operative Credit and Service Society, Thana Kalan, Sonapat, the workman-Balbir Singh (since deceased) committed certain acts of embezzlement and misappropriation of amounts and was also found absent on various dates. Thus, the following two charge-sheets dated 18.11.1989 and 13.05.1989 were issued to the workman-Balbir Singh (since deceased):

“CHARGE SHEET DATED 18.11.1989, EXH.M-18

1. *Embezzlement/mis-appropriation amounting to Rs.69750.50 out of the funds of Thana Kalan Cooperative Society.*
2. *Absence from duty on 31.7.1989, 8.8.1989, 22.8.1989 to 29.8.1989.*
3. *Kept incomplete record of the Society.*

CHARGE-SHEET DATED 13.5.1989, EXH.M-13

1. *Absence from 3.2.1989 to 6.2.1989;*
2. *Negligence in performance of his duties.*
3. *Absence from 9.2.1989 to 10.2.1989 and 21.2.1989 to 25.2.1989;*
4. *Absence from 10.3.1989 to 15.3.1989 and delay in handing over the charge.”*

3. It appears that the workman-Balbir Singh (since deceased) did not file any reply to the said charge-sheets despite reminders and opportunities having been granted to him. Thereafter, the Enquiry Officer was appointed and the presenting officer is stated to have produced the

relevant records. The workman-Balbir Singh (since deceased) attended the enquiry and submitted his defence/reply on 18.01.1990.

4. The Enquiry Officer, on the basis of material placed before him, submitted his report dated 01.03.1990 holding the workman-Balbir Singh (since deceased) guilty of charges of embezzlement and misappropriation of various amounts of society and also found the workman-Balbir Singh (since deceased) guilty of remaining absent from duty on certain dates without there being any justification.

5. The enquiry report was placed before the Board of Administrators and a show cause notice dated 10.04.1990 alongwith enquiry report, was served upon the workman-Balbir Singh (since deceased) calling upon him to show cause as to why the penalty of dismissal from service be not imposed on him.

6. It appears that no reply to the show cause notice was submitted by the workman-Balbir Singh (since deceased) and the case was placed before the Board of Administrators where an opportunity of personal hearing was also afforded to the workman-Balbir Singh (since deceased), when he submitted a letter dated 23.07.1990 for postponement of disciplinary action till the completion of arbitration case pending before the Assistant Registrar Co-operative Societies, Sonapat by stating that from the said proceedings it would be clear as to who is guilty and thereafter within ten days, he would deposit the money.

7. It appears that the Board of Administrators decided to terminate the services of the workman-Balbir Singh (since deceased) and on dated 02/03.08.1990, the order (Annexure P-6) of dismissal from service of the workman-Balbir Singh (since deceased) was passed.

8. It is borne out that one case FIR No. 451 dated 15.02.1991 under Section 409 IPC was also registered at Police Station Kharkhoda on the allegation that while the workman-Balbir Singh (since deceased) was working as Secretary of Thana Kalan Co-operative Society, Sonapat, then during his tenure, he embezzled the corporations funds. In the trial of the abovesaid case FIR No. 451, the workman-Balbir Singh (since deceased) was acquitted of the charges by giving him benefit of doubt vide judgment dated 01.10.2002 passed by learned Additional Chief Judicial Magistrate, Sonapat.

9. It is thereafter that the workman-Balbir Singh (since deceased) submitted a demand notice dated 13.12.2004 (AnnexureP-7) claiming therein reinstatement with continuity of service and full back wages. The petitioner-Bank submitted its detailed reply to the abovesaid demand notice on 10.01.2005 (AnnexureP-8), wherein a stand was taken that the services of the workman-Balbir Singh (since deceased) were rightly terminated. An objection was also raised on behalf of petitioner-Bank that the demand notice itself was time barred and the workman-Balbir Singh (since deceased) ought to have filed appeal against his dismissal order dated 02.08.1990 and thus the said order has become final and absolute. A stand was also taken that the Authority had no jurisdiction to entertain the demand notice.

10. The Government made reference of dispute under Section 10(1)(c) of the Industrial Disputes Act, 1947 (here-in-after referred to as 'the 1947 Act') to the learned Industrial Tribunal-cum-Labour Court, Panipat (Haryana) where the workman-Balbir Singh (since deceased) adopted his demand notice as his claim petition which was replied by

petitioner-Bank by inter-alia stating that the claim statement was not maintainable and was time barred. Apart from raising objection regarding jurisdiction of the Tribunal to try the reference, another objection was taken that the workman-Balbir Singh (since deceased) did not fall within the definition of “workman”. A stand was also taken that the workman-Balbir Singh (since deceased) was dismissed after holding a fair and proper inquiry and the right was also reserved to prove the charges before the Tribunal.

11. Vide interim Award dated 13.12.2012 (Annexure P-1) passed by learned Presiding Officer, Industrial Tribunal-cum-Labour Court, Panipat (Haryana), it was held that the enquiry against the workman-Balbir Singh (since deceased) was not competent and not conducted in fair and proper manner and there is no evidence ever lead to prove the charges.

Subsequently, a final Award dated 27.02.2013 (Annexure P-2) came to be passed by learned Presiding Officer, Industrial Tribunal-cum-Labour Court, Panipat (Haryana) whereby, it was held that the termination of services of the workman-Balbir Singh (since deceased) is not legal valid and proper and the workman-Balbir Singh (since deceased) was held entitled to reinstatement with continuity of service and 50% back wages from the date of demand notice i.e. 13.12.2004.

12. In the aforementioned circumstances, the petitioners filed the instant writ petition and while issuing notice of motion in this case on 29.05.2013, the operation of the impugned award was stayed.

13. The basic challenge to impugned awards is that the claim of the workman-Balbir Singh (since deceased) had been made after a delay of 14 years from the date of termination of his services and thus, no industrial

dispute existed after such a long delay. It is submitted that charge-sheets were issued to the workman-Balbir Singh (since deceased) for embezzlement of amounts and also for remaining absent and the charges were proved during the departmental enquiry wherein the workman-Balbir Singh (since deceased) was found guilty, leading to dismissal of workman from service on 02.09.1990. It is contended that no explanation whatsoever has come to explain the inordinate long delay of 14 years in preferring a demand notice by workman on 13.12.2004, leading to the reference being made; which ended in passing of the impugned awards. It has further been contended that exoneration in the criminal case, will not give any fresh cause of action to the workman-Balbir Singh (since deceased) nor would it give any fresh extension of limitation to the workman for preferring an industrial dispute which, with the lapse of time seized to exist. A reference has been made to para 6 of the demand notice, which reads as under:-

“6. That the applicant/workman was also awaiting for the decision of the case from the criminal court because without decision from the criminal court, the applicant/workman was not able to serve the demand notice and after the decision of the criminal court it was very clearly proved that the applicant/workman was falsely prosecuted. Hence, the applicant/workman is serving this demand notice.”

It is submitted that the reasoning contained in above extracted para no. 6 of the demand notice (which was also adopted as claim petition) cannot be taken as an explanation for the long delay of more than 14 years in making the demand / claim as there was no bar in putting forth his claim

which he has now preferred after a long period of 14 years from the date of his termination.

It is also submitted that the findings returned by the Tribunal below are otherwise also unsustainable as from the perusal of the enquiry report, it is apparent that the charges against the workman regarding embezzlement/misappropriation of funds, absence from duty and also the non-performance/timely completion of bank records were based on documentary evidence and infact, the workman had admitted in writing (Annexure P-3) that he had embezzled and misappropriated the amounts because of clerical error due to rush of work but the same were deposited by him.

14. Learned counsel for the petitioners relies upon the judgment of Hon'ble the Supreme Court in the case of *Sukhmander Singh v. State of Punjab and another, 1999(4) SCT 790*, to contend that the date on which the cause of action accrued to the workman-Balbir Singh (since deceased) to challenge the dismissal order arose on the date of termination of service and not on the date of acquittal by the Criminal Court several years later. He on this basis submits that the explanation of the workman-Balbir Singh (since deceased) that he was waiting for the outcome of criminal proceeding and on he being acquitted, he had submitted his demand notice, cannot be accepted as a reasonable explanation nor would the mere acquittal by Criminal Court give new cause of action to make good the delay in approaching the appropriate authority for making claim under the Act.

Learned counsel for the petitioners further relies upon the judgment of Hon'ble the Supreme Court in the case of *Manager, Reserve*

Bank of India, Bangalore v. S. Mani and others, 2005(2) SCT 404, to contend that merely because a judgment of acquittal has been passed in favour of employee would not be binding on the Management. It is contended that the workman-Balbir Singh (since deceased) has been given benefit of doubt while acquitting him of the criminal charges levelled against him. It is submitted that although the workman has been acquitted of the criminal charges but the departmental proceedings which were initiated against him and had culminated in the order of dismissal dated 02.08.1990 after holding an inquiry against him, had attained finality as the workman-Balbir Singh (since deceased) preferred not to challenge the order of dismissal from service or the proceedings until he submitted his demand notice dated 13.12.2004 and on this basis, it is submitted that impugned Awards dated 13.12.2012 and 27.02.2013 (Annexure P-1 and P-2) cannot be sustained and deserve to be quashed.

15. On the other hand, learned counsel appearing for legal heirs of the workman-Balbir Singh (since deceased) submits that at the relevant time, no time limit was prescribed under the 1947 Act for the appropriate Government to exercise its powers under Section 10 of the 1947 Act. It is submitted that the allegations against the workman-Balbir Singh (since deceased) were levelled by the petitioner-Bank and criminal proceedings were also initiated leading to the registration of an F.I.R. No. 451, dated 15.02.1991 at Police Station Kharkhoda, Sonapat. It is submitted that even if the workman-Balbir Singh (since deceased) had preferred a demand notice before he was acquitted by the Criminal Court in the criminal proceedings initiated against him, the proceedings under the 1947 Act would not have ended in his favour because of the pendency of the criminal

proceedings against him. It is submitted that the workman-Balbir Singh (since deceased) had justified reasons for not approaching the appropriate Government before culmination of criminal proceedings in his favour.

16. I have heard counsel for the parties and have gone through the records of the case, with their able assistance.

17. There is no dispute with regard to submission of counsel appearing for legal heirs of the workman-Balbir Singh (since deceased) that at the relevant time, the law did not prescribe any time limit for the appropriate Government to exercise its powers under Section 10 of the 1947 Act, however the real test for making a reference is with regard to existence of an industrial dispute on the date of reference for adjudication or an apprehension thereof. In the case of ***Nedungadi Bank Limited v. K.P. Madhavankutty and other***, 2000(1) SCT 1088, Hon'ble the Supreme Court in para-6 thereof observed as follows :-

"6. Law does not prescribe any time-limit for the appropriate Government to exercise its powers under Section 10 of the Act. It is not that this power can be exercised at any point of time and to revive matters which had since been settled. Power is to be exercised reasonably and in a rational manner. There appears to us to be no rational basis on which the Central Government has exercised powers in this case after a lapse of about seven years of the order dismissing the respondent from service. At the time reference was made no industrial dispute existed or could be even said to have been apprehended. A dispute which is stale could not be the subject-matter of reference under Section 10 of the Act. As to when a dispute can be said to be stale would depend on the facts and circumstances of each case. When the matter has become final, it appears to us

to be rather incongruous that the reference be made under Section 10 of the Act in the circumstances like the present one. In fact it could be said that there was no dispute pending at the time when the reference in question was made. The only ground advanced by the respondent was that two other employees who were dismissed from service were reinstated. Under what circumstances they were dismissed and subsequently reinstated is nowhere mentioned. Demand raised by the respondent for raising an industrial dispute was ex facie bad and incompetent."

In *Shalimar Works Limited v. Workmen*, AIR 1959 Supreme Court 1217, Hon'ble the Supreme Court has held that merely because the Act does not provide for limitation for raising an industrial dispute, it does not mean that the dispute can be raised at any time and without regard to the delay and reasons, therefor. There is no limit prescribed for reference of dispute to an Industrial Tribunal, even so it is only reasonable that the dispute should be referred as soon as possible after it has arisen and after conciliation proceedings have failed. Delay of four years in raising the dispute was held to be fatal in the said case, leading to dis-entitlement of the workman to any relief.

18. Keeping in view the aforesaid legal position, I am of the considered view that the workman-Balbir Singh (since deceased) had the option to resort to legal remedies available to him against the order of dismissal dated 02.08.1990 passed against him, however the workman-Balbir Singh (since deceased) preferred to remain silent and the only explanation which has been put forth by the workman-Balbir Singh (since deceased) for preferring the demand notice on 13.12.2004 after a delay of

14 years, is that he was waiting for the outcome of the criminal proceedings before putting forth his claim.

19. It is observed that the benefits and the rights which a Workman acquires/attains while in employment with the Management and the benefits accruing therefrom are not related to or dependent on the criminal proceedings unless the order passed against the workman is directly related to or are as a consequence of criminal proceedings initiated against him.

20. In the present case, the services of the workman-Balbir Singh (since deceased) were terminated after holding an enquiry against him. Apart from the charge of embezzlement, charge of absence from duty was also levelled. The criminal proceedings only related to the charge of embezzlement and it has nothing to do with the absence from duty of the workman. It is not disputed by the counsel appearing for the legal heirs of the workman-Balbir Singh (since deceased) that apart from the charge of embezzlement, the charge of absence from duty was proved against him during the enquiry proceedings. Infact, the FIR No. 451 dated 15.02.1991 came to be registered against the workman-Balbir Singh (since deceased) after the passing of the dismissal order on 02/03.08.1990, which apparently show that there was no nexus or relation between the criminal proceedings and the order of dismissal from service passed against the workman-Balbir Singh (since deceased).

21. In any case, the right of a workman to challenge the order of dismissal from service on the ground that the same is not in consonance with law is an independent right, which the workman can, despite pendency of the criminal proceedings, agitate before the appropriate forum. There is

no statutory bar in making a demand during the criminal proceedings nor is it the stand of the workman that he was debarred in any manner from approaching the appropriate Government for adjudication of an industrial dispute, if it so existed. Thus, the workman-Balbir Singh (since deceased) having accepted the order of dismissal dated 02/03.08.1990, cannot be allowed to rake up a stale claim, which with the efflux of time had lost its character of industrial dispute and has been rendered non-existent.

22. It would also be apposite to state here that the requirement of proof in the criminal proceedings is '*proof beyond all reasonable doubt*', whereas in the departmental proceedings, it is '*preponderance of probability*'. Although, the workman may have been acquitted of the charge of embezzlement in the criminal proceedings by giving him benefit of doubt, but in the enquiry proceedings, the workman-Balbir Singh (since deceased) was found guilty of not only embezzlement but also the other charges by holding as under:-

“...The cash transactions on these dates (22.12.88, 22.12.88, 26.12.88, 13.6.89, 29.6.89, 15.12.88, 7.7.88) as shown in the cash book of the society were not heavy that could justify working out wrong cash in hand to that extent. Thus charge is totally proved that embezzlement and mis-appropriation of Rs.69750.50 in the funds of society was committed intentionally and with deliberate dishonesty.

2. The charge comprises absence from duty on 31.7.89, 1.8.89 and 22.8.89 to 29.8.89. The explanations were called for absents himself from duty on the above referred dates but he did not submit any reply except for 8.8.89 to prove his presence on duty. On these dates although the letter No.2-3 dated 29.8.89 was noted by Sh. Balbir Singh on 6.9.89, letter No.60 for

absence on 31.7.89 was received by him from B.O. Kharkhoda, letter No.157 for absence on 22.8.89 was received by him as per dispatch register of B.O. Kharkhoda.

He submitted explanation for absents on 8.8.89 which was found unsatisfactory by D.O.C.B. Gohana without reason thereon and recordal report. During course of enquiry on 18.1.90 he has stated that on 31.7.89 he came on duty after D.O.C.B. Gohana had visited society. On 8.8.89 he has stated that he had gone to Sonapat to place the old stock of fertilizer. He further stated that he was on medical leave from 22.8.89 to 29.8.89. But on record no medical leave application was found or any appropriated evidence/proof produced to support his presence statement. Further cash book of the society was found written for 8.8.89, 23.8.89, 26.8.89 and 28.8.89 vide cash book page 191, 194, 195 & 195 respectively. Sh. Risala Singh Chowkidar and Sh. Ved Parkash Salesman has also confirmed his absence from 21.8.89 to 29.8.89. However the leave application from 21.8.89 to 23.8.89 submitted by him to E.O. C.B. Kharkhoda which is duly rejected is placed on his list of allegations at page 566 in his personal record with the bank. The statement of Sh. Risal Singh, Chowkidar and Sh. Ved Parkash Salesman is placed at page 565 in his personal record with the bank. As such his absence for 31.7.89, 22.8.89, 24.8.89, 25.8.89, 27.8.89 and 29.8.89 stands proved against him.

3. The charge is that at the time of his visit on 9.9.1989 the D.O. C.B.Gohana found the record of the society incomplete. Sh. Balbir Singh was absent to complete the record by 19.9.89 but he did not complete it upto 26.9.89.

In his written statement on 18.1.90 Sh. Balbir Singh Secretary has stated that the incomplete

record was completed and he would keep it completed in future.

Since the charge has been admitted by Sh. Balbir Singh Secretary himself that he completed the incomplete record the charge stands proved against him.

...While Sh. Balbir Singh Secretary had worked (as per record) in society on 3.2.89 by depositing Rs.21600/- in C.B., S.T., Agri in B.O. Kharkhoda. On 4.2.89 he again deposited kind cheques for Rs.4725/- vide cash book page 98 and 99 respectively. On 5.2.89 it was Sunday. However he failed to produce any proof of his presence for duty on 6.2.89. The E.O.C.B. Kharkhoda and D.O.C.B. Gohana visited the society on 6.2.89 and found him absent from duty. Hence the charge is proved to the extent that he remained absent from duty on 6.2.89. The absence on 3.2.89 to 5.2.89 is based on supposition.

2. The charge comprises negligence in performance his duty properly.

i) The cash credit limit for the year 1989 was not got renewed after 31.12.88.

On record the resolution for the renewal of cash credit limit for 1989 was got passed from Managing Committee of the society vide resolution No.2 dated 6.12.88 for Rs.100000/- but the same was not got renewed by him from the bank. Hence the charge stands proved against him.

...vi) He did not take any interest in the recovery work. The figure given below depicts that recovery achievement in respect of overdues for 30.6.88 upto 7.2.89 remained less and poor.

<i>Overdue as on 30.6.88</i>	<i>Recovery against overdues from members from 1.7.88 to 7.2.89</i>	<i>Percentage of Col.2 overdue</i>
<i>11.50</i>	<i>0.26</i>	<i>2%</i>

Hence the charge stands proved against him.

3. *Absence from duty on 9.2.89 to 10.2.89 and 21.2.89 to 25.2.89.*

The statement regarding absence from duty from 9.2.89 to 10.2.89 given by Balbir Singh Secretary is baseless and made on flimsy grounds. He has stated that he could not know about 'Janta Darbar' at Mandora on 9.2.89 and reached late in the meeting in the bank due to some reason. Moreover he never submitted his reply when his explanation was called and of the charge sheet. Thus charge stands proved against him. The statement regarding absence from duty from 21.2.89 to 25.2.89 given by Sh. Balbir Singh Secretary says that he worked in the society during the period. However no proper record to prove his presence in the society except for 24.2.89 showing sale of 1100 ltr. kerosene oil was available and as such the absence on 21.2.89, 22.2.89, 23.2.89 & 25.2.89 stands proved against him.

4. *The charge is that he absented himself from duty from 10.3.89 to 15.3.89 and did not handover the charge to Sh. Zile Singh Secretary while he was depicted to STC Chandigarh for training from 7.3.89 to 15.4.89 which show his insubordination.*

Sh. Balbir Singh has stated that the charge was not taken over by Sh. Zile Singh in the beginning. He taken over the charge on 31.3.89 and so he (Balbir Singh) went to training on that day.

He joined the training college on 3.4.89 vide his joining report at page 523 in the personal record of his on the bank. The cash book was found written in his hand from 10.3.89 to 11.3.89 and 13.3.89 showing cash in hand only 12.3.89 being Sunday and 14.3.89 to 15.3.89 showing some transactions vide C.B. page 114 to 116. The relieving order of the training college vide No.STC/89-90/71 dated 2.4.89 reveals his training period

from 7.3.89 to 12.4.89 vide letter at page 526 in the personal record of Sh. Balbir Singh with the bank. However he handed over the charge on 31.3.89 vide cash book page 123 which shows his insubordination by handing over the late upto 31.3.89 without making any reference to the Bank.”

It is not in dispute that from the date of passing of dismissal order dated 02/03.08.1990 till the workman-Balbir Singh (since deceased) submitted his demand notice dated 13.12.2004, there was no communication / correspondence between the workman-Balbir Singh (since deceased) and the petitioner- Bank. Thus, mere pendency of the criminal proceedings against the workman-Balbir Singh (since deceased) cannot be taken as a ground for not resorting to the remedy available to the workman to put forth his claim for redressal of his grievances for dismissal from service. Hon'ble the Supreme Court in ***Sukhmander Singh's*** case (supra), observed as follows :-

"3. Learned Senior Counsel appearing for the appellant submitted that the cause of action for filing a suit in this case arises only after the judgment of the learned Judicial Magistrate acquitting the appellant of the charge. Therefore, the suit was filed in time and the conclusion reached by the courts below to the contrary, cannot be sustained. He also invited our attention to Article 113 Part X of the Limitation Act, 1963 which says that any suit for which no period of limitation is provided elsewhere, the period will be three years when the right to sue accrues. Accepting the argument that Article 113 is applicable to the facts of this case, we are of the view that nothing prevented the appellant from filing a suit challenging the order of termination within three years from 29.07.1983 (the date of termination). That having

not been done, the suit was rightly dismissed on the ground of limitation as well. We are unable to agree with the contention that the cause of action arose in this case on 03.03.1990 when the learned Judicial Magistrate acquitted the appellant. As pointed out earlier, there was no bar statutorily or otherwise in the way of the appellant from filing a suit immediately after the termination order was passed."

23. It also needs to be noticed that in a given case, it might happen that some of the employees/officials who were at that time in service of the Management, would have retired from service or would not be available to support the stand of the Management and / or the material evidence relevant for adjudication being lost and rendered not available, which would obviously prejudice the right of defence available to the Management.

24. In the peculiar facts and circumstances of this case and also in view of the above discussion, I am of the considered view that there was no reasonable, justifiable and cogent explanation on the part of the workman-Balbir Singh (since deceased) for submitting his delayed demand notice dated 13.12.2004, after a period of 14 years from the date of his dismissal order passed on 02/03.08.1990; therefore the claim made by the workman-Balbir Singh (since deceased) through his demand notice dated 13.12.2004 was stale and at the time when the reference was made, no industrial dispute existed or even could be said to be apprehended. Accordingly, the reference made by the Government after a lapse of about 14 years of the passing of the order of dismissal of the workman-Balbir Singh (since deceased), when no industrial dispute existed or even apprehended, cannot be said to be justified. Consequently, the impugned interim award dated 13.12.2012 (Annexure P-1) and also the final award dated 27.02.2013

(Annexure P-2) passed by learned Industrial Tribunal-cum-Labour Court,
Panipat (Haryana) are hereby quashed.

- 25. The writ petition is accordingly allowed.
- 26. All pending application/s, if any, shall also stand closed.

October 5th, 2023	(HARSH BUNGER)
gurpreet	JUDGE
Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No