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

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Date of decision : 27.07.2023

Baldev Singh

..... Petitioner

Versus

The Chairman, Punjab School Education Board and Others

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioner.

AMARJOT BHATTI J. (ORAL)

Baldev Singh has filed revision against impugned order dated 31.05.2023 (Annexure P-5) vide which the application filed by the petitioner to lead additional evidence has been declined by the Presiding Officer, Industrial Tribunal, Bathinda in application No. 156/05/2021 titled “Baldev Singh Vs. The Chairman, Punjab School Education Board, Mohali and others”.

It is argued that the petitioner had filed application Annexure P-4 to adduce additional evidence in order to prove on record the attendance register for the month of January 2002 to March 2002 which he could not produce inadvertently. It is argued that the aforesaid record is material for proper adjudication of the case. The said application was opposed by the department and ultimately the application for leading additional evidence has been declined vide

order dated 31.05.2023. The counsel for petitioner has also placed on record copy of order dated 22.01.2020 passed in Civil Writ Petition No. 776 of 2014 (Annexure P-3) vide which the present petitioner was afforded two opportunities to conclude his evidence. It is prayed that the impugned order dated 31.05.2023 may kindly be set aside and he may be allowed to produce the aforesaid record in support of his case.

I have considered the arguments and the documents placed on record. As per order dated 22.01.2020 (Annexure P-4) passed in Civil Writ Petition No. 776 of 2014, the present petitioner was afforded two opportunities to adduce his evidence. The application for additional evidence has been filed subsequently when the case was at final stage. I have also gone through the contents of application filed by the petitioner seeking permission to lead additional evidence. He wants to prove on record the attendance register of January 2002 to March 2002. During the course of arguments, he has also produced copy of attendance register of the employee for the aforesaid period. I have gone through the reply filed by the respondents in which in para no. 1 on merits, it is admitted that Baldev Singh was engaged on daily wages as a Labourer from 28.02.2001 to 16.08.2001 and 01.01.2002 to 30.06.2002 to meet the exigency of additional workload for specific time and purpose. Therefore, the employment of present petitioner from 01.01.2002 to 30.06.2002 is admitted by the respondents. The admitted fact by the respondents need not to be proved by the present petitioner. Therefore, in my opinion, the dismissal of application to adduce additional evidence is not going to effect the merits of the case. Moreover, the petitioner was granted two effective opportunities to adduce evidence which he has already availed. With this observation, I do not find any reason to interfere in the impugned order dated

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31.05.2023 passed by Presiding Officer, Industrial Tribunal, Bathinda and the present revision filed by the petitioner is accordingly, dismissed.

(AMARJOT BHATTI)
JUDGE

27.07.2023
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No