

In the High Court of Punjab and Haryana, at Chandigarh**Civil Revision No. 2532 of 2021****Date of Decision: 22.11.2023**

Ajaib Singh

... Petitioner(s)

Versus

M/s The Kalanwali Co-operative Credit and Services Society Limited,
Kalanwali

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sushil Kumar Verma, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. The petitioner herein assails the correctness of the order passed on 24.08.2021 by the Executing Court. The petitioner was employed on a part time basis. His services were dispensed with. However, the Labour Court, vide award dated 11.01.2000, ordered his reinstatement in service with all back wages.

2. The learned Single Judge modified the award, however, in the Letters Patent appeal, the Hon'ble Division Bench held that the petitioner is entitled to back wages with reinstatement in service. The petitioner was taken back into service and he was paid ₹37,000/- w.e.f. 01.11.1995 to 31.11.2001 @ Rs.500/- per month. The Executing Court found that the petitioner is claiming back wages as a regular employee, whereas he was never employed on a regular post. He was merely a part timer.

The learned counsel representing the petitioner submits that

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once the petitioner was ordered to be reinstated in service, he will be deemed to be a regular employee. The award passed by the Labour Court only entitles the petitioner to reinstatement at the same position when his services were dispensed with. In this case, the petitioner was serving as a part timer. Hence, he cannot claim that he was entitled to be reinstated as a regular employee.

4. Keeping in view the aforesaid facts, no ground is made out to interfere with the impugned order. Hence, the present revision petition is dismissed.

(Anil Kshetarpal)
Judge

November 22, 2023

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No