

**NIRANJAN SINGH AND ORS V/S THE PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL PATIALA AND ORS**

Present: Mr. S.S. Deol, Advocate
for the applicants.

CM-4562-CWP-2021

Through the present application, the applicants are seeking condonation of delay of 149 days in filing the accompanying review application.

For the reasons assigned in the application, the same is allowed and delay of 149 days in filing the accompanying review application is condoned.

CM stands disposed of.

CM-4561-CWP-2021

Through the present application, the applicants are seeking condonation of delay of 25 days in refiling the accompanying review application.

For the reasons assigned in the application, the same is allowed and delay of 25 days in refiling the accompanying review application is condoned.

CM stands disposed of.

RA-CW-85-2021

1. Through the present application, the applicants are seeking review of order dated 28.09.2018 passed by this Court in a bunch of writ petitions.

2. The applicants submit that the workman had prayed reinstatement with backwages and there was no prayer for setting aside the Award passed by Labour Court, however, in the order dated 28.09.2018, this Court has wrongly noted that there was prayer for setting aside of Award.

3. In the order, a contract executed between respondent Nos. 2 and 3 has been discussed and the said contract was counter offer by one party to another whereas there is no document on record disclosing that it was finally executed. The facts of one workman have been discussed. Resultantly, the order dated 28.09.2018 has not been passed in accordance with law. It is based upon wrong facts.

4. From the perusal of prayer in the main writ petition, it is evident that the applicants were seeking setting aside of Award though praying for reinstatement or payment of lump sum compensation. While noticing facts, this Court has noticed that there is prayer for setting aside of Award by both sides.

4.1 The applicants have further pointed out that contract discussed in the order was never finally executed. This Court has noticed from documents on record that there is agreement dated 28.08.1997 Ex. MW.1/2. There is nothing on record disclosing that there was argument of the parties that the said agreement was never executed. The agreement was executed between respondent Nos. 2 and 3 and pursuant to said agreement, workman had worked.

4.2 By common order dated 28.09.2018, the facts of one workman were noticed. None of the parties, at that point of time, pointed out that the facts of other workmen should be noted.

5. This Court is of the considered opinion that there is neither apparent mistake on record nor any evidence has been brought on record which was not in the knowledge of parties, warranting review of order in question.

Accordingly, application stands dismissed.

27.08.2024

[JAGMOHAN BANSAL]
JUDGE