



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

206

**CWP-11570-2000 (O&M)
Date of decision: 16.10.2024**

ASHWANI KUMAR

...PETITIONER

Vs.

**THE PRESIDING OFFICER, LABOUR COUT, JALANDHAR CITY AND
OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: None for the petitioner.

Mr. S.K. Arora, Advocate
for respondent Nos. 2 and 3.

JAGMOHAN BANSAL, J (ORAL)

1. There is no representation on behalf of petitioner.
2. Matter is pending before this Court since 2000, thus, it cannot be kept pending further.
3. The petitioner through the instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of Award dated 04.08.1998 (Annexure P-3) whereby Labour Court has answered reference against him.
4. The petitioner joined respondents-Punjab Water Supply and Sewerage Division, Jalandhar on 17.09.1991. He was retrenched on 24.09.1992. He was initially appointed for the period from 17.09.1991 to 31.12.1991 for completion of Urban Renewal Project at Sultanpur Lodhi. Due to exigency of work, he was granted extension till 31.08.1992. He continued to work till 23.09.1992.

5. The petitioner represented to Labour Authorities and matter came to be referred to Labour Court which vide impugned Award has answered against him. The Labour Court has held that case of petitioner is squarely covered by Section 2(oo)(bb) of the Industrial Disputes Act, 1947 (for short ‘1947 Act’). He was appointed for a particular period and mere extension of said period does not mean that he is not covered by Section 2(oo)(bb) of 1947 Act.
6. The petitioner was concededly appointed for a particular period and a particular project. He in any case had worked for a short span of one year and he was engaged for a particular project. The case of petitioner falls within the ambit of Section 2(oo)(bb) of 1947 Act. There is no jurisdictional error or manifest infirmity in the impugned Award warranting interference.
7. Dismissed.
8. Pending miscellaneous application(s), if any, shall also stand disposed of.

16.10.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No