



CWP-13278-1999

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

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CWP-13278-1999

Date of Decision: 22.07.2024

Mohan Singh

...Petitioner

Versus

Presiding Officer, Labour Court, Hoshiarpur and others ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Kishan Garg, Advocate for the petitioner

Mr. P.S. Thiara, Advocate for respondent Nos.2 to 4

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking modification of order dated 06.01.1998 (Annexure P-1) passed by the Labour Court.

2. The petitioner joined respondent-Punjab State Electricity Board in 1985 and worked upto 09.09.1989. His services came to be terminated vide order dated 09.09.1989 passed by Executive Engineer. He issued demand notice on 20.06.1996 and Government referred his dispute to Labour Court on 18.02.1997. The Labour Court by impugned order dated 06.01.1998 allowed his petition to the extent respondent was directed to permit him to rejoin. The respondent was directed to count his service from October' 1987 to 09.09.1989 and from 20.06.1996 onwards for all service benefits.



3. The petitioner claims that his service from 10.09.1989 to 19.06.1996 should also be counted for all purposes.
4. Learned counsel for respondent submits that petitioner himself served demand notice after 7 years from the date of his dismissal from service, thus, the said period cannot be counted towards service.
5. On being confronted, Mr. Kishan Garg, Advocate expressed his inability to controvert the fact that petitioner himself had failed to serve demand notice for 7 years.
6. The findings recorded by the Labour Court are plausible as well as convincing. The petitioner cannot take benefit of his own mistakes. Finding no infirmity either factual or legal in the impugned order, the instant petition deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

22.07.2024
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No