



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

209

CWP-17163-1997

Date of decision: 12.08.2024

SANTOKH SINGH

....PETITIONER

Vs.

PRESIDING OFFICER LABOUR COURT JALANDHAR & ORS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. J.S. Bhatia, Advocate
for the petitioner.

Mr. Abhishek Arora, Advocate for
Mr. Sumit Jain, Advocate
for respondent No. 2.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of Award dated 25.02.1987 whereby Labour Court has answered the reference against the workman.
2. The petitioner joined respondent No.2 in 1973 on temporary basis. He was issued appointment letter dated 09.12.1975 whereby he was recruited as regular employee on the post of Field Sub Inspector. During probation he came to be dismissed. He was paid one month salary at the time of dismissal.
3. The petitioner claims that as per appointment letter of 1973, he was workman, thus, respondent was bound to comply with provisions of Section 25F of Industrial Disputes Act, 1947. The respondent claims that on account of appointment letter dated 09.12.1975, the petitioner was no more workman and management was supposed to pay one month salary prior to his termination which they have complied with.

4. Keeping in mind paras 50-52 of judgment of Supreme Court in *Central Council for Research in Ayurvedic Sciences and another v. Bikartan Das and others, 2023 SCC OnLine SC 996* and to put the litigation to rest, this Court considering the length of service and last drawn pay of the workman; efflux of time; change of circumstances; and directions of Tribunal, deems it appropriate to direct the management to pay a sum of ₹25,000/- as lump sum payment to workman. Let the needful be done within 3 months from today.
5. Disposed of in above terms.

12.08.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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