



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-15970-1999
Decided on : 19.07.2024

Bhagwant Singh

... Petitioner(s)

Versus

The Presiding Officer,
Labour Court, Bathinda and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: None.

SANJAY VASHISTH, J. (Oral)

1. Instant writ petition has been filed by the petitioner – Bhagwant Singh, by challenging the award dated 12.08.1999 (Annexure P-2), passed by the learned Labour Court, Bathinda, whereby, Reference No.132/94, under Section 10(1)(C) of the Industrial Disputes Act, 1947 (in short, 'ID Act'), has been answered against him.

2. The facts borne out from the award are that the workman joined the respondent – Management i.e. Punjab Water Supply and Sewerage Board, Division No.1 (Bathinda) office, as 'Pump Operator' on 01.12.1991 and his services were terminated on 04.07.1992. He was employed at monthly wages of Rs.1900/-. His services were terminated without any inquiry, notice, charge-sheet and payment of retrenchment compensation.

3. Learned Tribunal recorded the finding that the workman failed in proving the total working of 240 days, preceding one year to the date of his termination. Therefore, question of violation of Section 25-F of the ID Act, does not arise.

4. There is another observation by the learned Tribunal that there



being no requisite qualification with the petitioner – workman, for the post of ‘Pump Operator’. Therefore, it cannot be held that there is violation of Section 25-H of the ID Act.

5. Writ petition was admitted way-back on 31.07.2000. None is present from either side to assist the Court, despite the note given by the Registry that “counsel for the parties has been informed through e’mail.”

6. **Dismissed in-default.** However, liberty is granted to the petitioner to move an appropriate application for seeking revival of the present writ petition, within eight weeks from today, in case, any substantive issue still exists along with a cause of action to the petitioner.

It is clarified that in case an application for recalling/restoration is filed by the petitioner, in that eventuality, at the time of hearing of the application, counsel would be ready with the final arguments in the writ petition.

Let a copy of this order be also forwarded to the petitioner at the address mentioned in the writ petition.

(SANJAY VASHISTH)
JUDGE

July 19, 2024
J.Ram

Whether speaking/reasoned: Yes/~~No~~
Whether Reportable: ~~Yes~~/No