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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-4982-1999 (O&M)
Date of Decision: 30.09.2024

GULZAR SINGH

..... Petitioner

Versus

PRESIDING OFFICER, LABOUR COURT AND ANR.

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Sharman Sehgal, Advocate
for the petitioner.

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 17.07.1997 (Annexure P-3) whereby Labour Court has answered the reference against him.

2. The petitioner was terminated on 11.05.1981 and he served demand notice on 04.09.1986. The matter was thereafter referred to Labour Court which dismissed his claim on the ground of limitation. The Labour Court relying upon judgment of Division Bench of this Court in '*State of Punjab through Executive Engineer, Public Health (GW) Division, Hoshiarpur Vs. Kali Dass and another*', 1997 (1) SCT 512 has held that claim is barred by limitation. The workman could serve demand notice within 3 years whereas he has served after 5 years. He was terminated in 1981 and he served demand notice in 1986. The impugned award was passed on 17.07.1997. The Labour Court has even recorded



finding to the effect that petitioner has manipulated/fabricated documents to show that his claim is within limitation.

3. Considering the findings recorded by Labour Court and efflux of time, this Court does not find it appropriate to interfere with the impugned award.

4. Dismissed.

5. Pending misc. application (s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

30.09.2024
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>