

221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-1205-2019 (O&M)
Date of decision: 08.01.2024

Bala Devi

.....Appellant

V/s

The Presiding Officer, Labour Court, Ambala and others

...Respondents

CORAM: HON’BLE MR. JUSTICE DEEPAK SIBAL
HON’BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Vikrant Singh Cooner, Advocate
for the appellant.

Mr. Dushyant Saharan, AAG Haryana.

DEEPAK SIBAL J. (ORAL)

1. The present intra Court appeal originates from the order dated 05.03.2019, passed by a learned Single Judge of this Court, through which the writ petition filed by the appellant has been dismissed.
2. Briefly stated the facts are that in the year 2007, the appellant raised an industrial dispute through which she disputed the termination of her services. The dispute was referred to be adjudicated upon by the Presiding Officer, Labour Court, Ambala (for short, the Labour Court). On being put to notice the appellant’s employer appeared before the Labour Court and filed a written statement disputing the appellant’s claim to which the appellant also filed a replication. After framing of the issues, the Labour Court granted four opportunities to the appellant to lead her evidence but to no avail. Therefore, through order dated 12.10.2010 the Labour Court closed her evidence. At the time of the final arguments, none appeared on behalf of the appellant. Since no evidence had been led in support of her claim, the Labour Court, through its award dated 18.10.2010, dismissed the appellant’s claim.

3. Through a writ petition filed in the year 2018, the appellant challenged the award of the Labour Court which was dismissed by a learned Single Judge of this Court on the ground of delay and laches. Hence, the present intra Court appeal.

4. We have heard the learned counsel for the parties and with their able assistance also gone through the record.

5. In the year 2007, alleging illegal termination of her services, the appellant had raised an industrial dispute which was referred to be adjudicated upon by the Labour Court. After framing of the issues the Labour Court granted as many as four opportunities to the appellant to lead her evidence but she did not. Thereafter, through its order dated 12.10.2010 the Labour Court closed the appellant’s evidence. Order dated 12.10.2010 was not challenged by the appellant.

6. Thereafter, through its final award dated 18.10.2010, the Labour Court dismissed the appellant’s claim. It is in the year 2018 that the appellant challenged the award. No explanation whatsoever has been given by the appellant for the delay of eight years on her part to challenge the award. Therefore, we find no error, factual or legal, in the dismissal of the appellant’s writ petition by the learned Single Judge on the ground of delay and laches.

7. Dismissed.

(DEEPAK SIBAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

08.01.2024
Sapna

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