



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-3221-LPA-2024 in/and LPA-1350-2024 (O&M)
Date of decision : 08.08.2024

ParamjitAppellant
Versus
Industrial Tribunal, Gurdaspur and anotherRespondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Maloo Chahal, Advocate, Legal Aid Counsel,
for the appellant.

SHEEL NAGU, CHIEF JUSTICE (Oral)

CM-3221-LPA-2024

For the reasons stated in the application, duly supported by an affidavit of the applicant-appellant, delay of 57 days in filing the appeal is condoned.

Application is, accordingly, allowed.

LPA-1350-2024 (O&M)

1. The workman, who is a lady, has filed this intra-court appeal challenging the order dated 06.11.2023 passed by the learned Single Judge in CWP-25285-2017, upholding the Award dated 30.10.2017 passed by the Labour Court.
2. The Labour Court, after hearing both the parties and considering evidence, which was placed on record, found that since the workman was paid retrenchment compensation as well as salary in lieu of notice period, there was no occasion for violation of provision of Section 25-F of Industrial Disputes



Act, 1947, and therefore, the reference as regards termination of services was decided against the workman.

3. Learned counsel for the appellant – workman has submitted that the workman was an illiterate lady and a similar notice for unauthorized absence from duty was also issued to her husband, who was working in the same establishment as Chowkidar-cum-Gate Keeper, and the enquiry against him is still continuing.

4. We do not find any substance in the aforesaid submission of learned counsel for the appellant – workman, in the absence of any material in support thereof.

5. The workman has desperately failed to prove that she had completed 240 days in a calendar year preceding the date of her termination.

6. Further, the cheque as regards retrenchment compensation and salary in lieu of notice period has been got encashed by the workman without any objection.

7. In view of above, we do not find any substance in the present appeal and same stands dismissed.

8. All the pending applications stand disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

August 08, 2024
ndj

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