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

CWP-1085-2023**Date of Decision: 14.10.2024****DEEPAK BHARDWAJ**

..... Petitioner

Versus

**PRESIDING OFFICER, INDUSTRIAL TRIBUNAL CUM
LABOUR COURT, ROHTAK AND ANR**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Ashok Kumar Sharma (Bhana), Advocate
for the petitioner.

Mr. Raman Sharma, Addl. AG, Haryana.

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 30.03.2022 (Annexure P-3) whereby Labour Court has answered the reference against him.

2. The workman was appointed by respondent No.2 on 20.05.2015. He was appointed on temporary basis as unskilled worker. His monthly salary was fixed Rs.6,700/-. The respondent-Management terminated him on 30.04.2016 because his service tenure was till 30.04.2016.

3. Mr. Ashok Kumar Sharma (Bhana), Advocate for the petitioner submits that petitioner has not worked 240 days, however, he should be reinstated because many junior workers had been retained.

4. From the perusal of record, it is evident beyond the pale of

doubt that petitioner during preceding 12 months did not work for 240 days, thus, was not entitled to protection granted by Sections 25B and 25F of Industrial Disputes Act, 1947.

5. This Court does not find any jurisdictional error or factual infirmity in the findings recorded by Labour Court. The petition being devoid of merit deserves to be dismissed and accordingly dismissed.

6. The petitioner is claiming that part of his salary is outstanding. The respondent is hereby directed to release salary, if any outstanding, for the period the petitioner actually worked.

(JAGMOHAN BANSAL)
JUDGE

14.10.2024
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>