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

LPA-1392-2016 (O&M)

Date of decision: 25.09.2024

Notified Area Committee Manimajra through Executive Officer

....Appellant

Versus

Presiding Officer, Labour Court, Chandigarh and others

..Respondents

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

Present:- Mr. Sanjiv Ghai, Advocate
and Mr. Parminder S Kaul, Advocate for the appellant

Mr. Pawan Sharma, Advocate for respondent No.2

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The present intra court appeal is preferred against order of the learned Single Judge dated 03.05.2016 whereby the petition filed by the employer against the award of the Labour Court dated 03.08.1992 (Annexure P-7) holding the termination to fall within the category of illegal retrenchment and directing reinstatement with 80% back wages, was though upheld to the extent it pertains to declaring the retrenchment to be illegal but was interfered with to the extent that quantum of back wages was reduced from 80% to 50%.

2. Learned counsel for appellant-employer inter alia submits that the order of the learned Single Judge is non-speaking as it does not contain the reasons, which are the lifeline of every judicial order.



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3. It is well settled in law that reasons are heart beat of every judicial order, absence of which renders the order to be vitiated in law and reliance in this regard can be placed on '**M/S Kranti Asso. Pvt. Ltd. & Anr vs Masood Ahmed Khan & Ors**' (2010) 9 SCC 496, '**Raj Kishore Jha vs. State of Bihar and others**' AIR 2003 SC 4664 and '**State of Rajasthan vs. Rajendra Prasad Jain**' AIR 2008 SC 1589.

4. In view of above and without commenting upon the merits of the matter, this Court is inclined to set aside the order of the learned Single Judge on the ground of the same being non-speaking. Consequently, the appeal stands allowed and the order of the learned Single Judge dated 03.05.2016 is set aside, with a request to the learned Single Judge to hear the rival parties and pass a speaking order, as expeditiously as possible, preferably within a period of three months, from the date of appearance of the parties before the Court. The parties, through their learned counsels are directed to appear before the learned Single Judge on 21.10.2024.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

25.09.2024

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No