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

CWP-30772-2024**Date of Decision: 14.11.2024****SARABJEET KAUR**

..... Petitioner

*Versus***PEPSU ROAD TRANSPORT CORPORATION AND OTHERS**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Vikas Chatrath, Advocate
for the petitioner.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner-wife of Darbara Singh through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of impugned Award dated 23.08.2022 (Annexure P-10) whereby Labour Court has answered the reference against workman.

2. The husband of petitioner was working with respondent as Driver and was subjected to punishment of stoppage of five increments vide orders dated 23.08.1996 (Annexures P-1 & P-2) and four increments vide order dated 20.04.1995 (Annexure P-3). There was allegation against him that he has caused financial loss to Corporation to the tune of Rs.5,157/-. The petitioner served demand notice on 16.10.2001 (Annexure P-4) i.e. after the expiry of 5 years from the date of orders of punishment. The matter came to be referred to Labour Court which by impugned Award dated 23.08.2022 (Annexure P-10) has answered against the workman.



3. The husband of petitioner was concededly subjected to punishment vide orders dated 23.08.1996 (Annexures P-1 & P-2) and 20.04.1995 (Annexure P-3) and served demand notice on 16.10.2001 (Annexure P-4) i.e. after the expiry of 5 years from the date of orders of punishment. The Labour Court has dismissed claim of the workman on various grounds including ground of limitation. The Court has opined that demand notice was served after a considerable period of time and there is no explanation for delay.

4. On being confronted with judgment dated 18.10.2024 passed by this Court in *CWP No.18118 of 2006* titled as '*Punjab and Sind Bank Vs. Jai Singh and others*'. Mr. Vikas Chatrath, Advocate for the petitioner expressed his inability to distinguish the instant case from the findings recorded in the said judgment.

5. Dismissed.

(JAGMOHAN BANSAL)
JUDGE

14.11.2024
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No