



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

**Date of Decision: 27.05.2025
CWP-12158-2001 (O&M)**

**KRISHAN LAL VERMA ... PETITIONER
VS.
THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, PANIPAT AND ORS .. RESPONDENTS**

CWP-12290-2001 (O&M)

**SUKHBIR SINGH ... PETITIONER
VS.
THE PO,INDUSTRIAL TRIBUNAL .. RESPONDENTS**

CWP-13809-2001 (O&M)

**KARAN SINGH ... PETITIONER
VS.
THE PRESIDING OFFICER LABOUR COURT.. RESPONDENTS**

CWP-17182-2001 (O&M)

**KARAMVEER SINGH ... PETITIONER
VS.
THE PRESIDING OFFICER LABOUR COURT .. RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Shivam Malik, Advocate,
for the petitioners.

None for the respondents.

HARSIMRAN SINGH SETHI, J.(ORAL)

1. In the present petition, the grievance being raised by the petitioners is against the award dated 04.01.2001 (Annexure P-6) passed by the Labour Court by which the claim of reinstatement with continuity of service and full back wages has been rejected which is causing prejudice to the petitioners.

2. Learned counsel for the petitioners argues that even after recording the finding by the Labour Court that the petitioners were the employees of the Contractor, once the Contractor was the party, the claim of the petitioners against the Contractor should have been decided that whether the termination of the services of the petitioners by the Contractor is as per the provisions of 1947 Act or not which has not been done.

3. No one appears on behalf of the respondents.

4. Once, it is a conceded fact that the petitioners were appointed through the Contractor and the Contractor was the party to the dispute raised before the Labour Court, even when there is no master and servant relationship between the petitioners and Haryana Financial Corporation but, the claim of the petitioners that they were the employees of the Contractor, should have been adjudicated by the Labour Court so as to decide whether the termination of the services of the petitioners by the Contractor was valid or not or the same was in violation of 1947 Act.

5. The said adjudication has not been done by the Labour Court while passing the impugned award dated 04.01.2001 (Annexure P-6).

6. Keeping in view the totality of the facts and circumstances, though, the finding recorded by the Labour Court in the award dated 04.01.2001 (Annexure P-6) and there was no master and servant relationship between the petitioners and Haryana Financial Corporation is upheld, the case is remanded back to the Labour Court to decide whether, the claim of the petitioners against the Contractor qua illegal termination of their services valid or not?

7. Let the respective parties appear before the Labour Court on 08.07.2025.

8. Pending applications, if any, also stand disposed of.
9. Photocopy of this order be placed on the connected file.

(HARSIMRAN SINGH SETHI)
JUDGE

27.05.2025
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No