



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

CWP-1263-2001 (O&M)

Date of decision: 03.12.2025

Nirmla

....Petitioner

Versus

Presiding Officer, Industrial Tribunal-cum-Labour Court, Hisar and
another

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Durga Dutta, Advocate,
for the petitioner.

Mr. Sushil Bhardwaj, Addl. A.G., Haryana,

KULDEEP TIWARI, J. (Oral)

1. Through the instant writ petition, as cast under Articles 226/227 of the Constitution of India, the award dated 01.06.2000 (Annexure P-5), rendered by the learned Industrial Tribunal, Hisar, vide which the reference was answered against the petitioner, has been assailed.

2. Succinctly stated, the facts, as noticed by the learned Industrial Tribunal, are that, the petitioner was appointed as Beldar on 01.04.1986, though verbally, at Chopaliya Block, on a salary of Rs.1200/- per month. She continued as such till 30.06.1995, whereafter she was terminated, without any notice or compensation. Fetching grievance from the act of the respondent-department and claiming violation of Section 25-F of the Industrial Disputes Act, 1947 (for short, the Act'), a demand notice was served upon the respondent-Management, which culminated into a reference under Section 10(1)(c) of the Act. In



its defence, the respondent-Management, through its response, took a specific stand that in the preceding year, she had worked only for 69 days.

3. Upon consideration of the matter in issue, and the material brought on record, the learned Industrial Tribunal concluded that the petitioner failed to lead any evidence to substantiate that she had worked for 240 days in the preceding year. Accordingly, the reference has been answered against her. Hence the instant writ petition.

4. The sole contention advanced on behalf of the petitioner is that, albeit in the preceding year, the petitioner had not worked for 240 days, but prior to that, she had work for the department continuously. Therefore, she ought not to have been terminated.

5. Having heard the learned counsel for the parties, and perused the record, this Court is of the considered opinion that no interference is required with the impugned award.

6. *Ex facie*, the entire case of the petitioner revolves around her attendance sheet (Annexure P-4), which is placed on record by none other than the petitioner herself, and also forms part of the record of the learned Industrial Tribunal as Ex.W-1. A bare glance of Annexure P-4, reveals that the petitioner had worked for 230 days in the year 1986; 303 days in 1987; 92 days in 1988; 11 days in 1989; 06 days in 1990, and 69 days in 1994. Further, she had not worked for a single day during the years 1991 to 1993.

7. The abovesaid factual aspect of the matter, in no uncertain terms, indicates that except in the year 1987, the petitioner never worked for more than 230. So far as the preceding year is concerned, the



petitioner had worked only for 69 days. In this view of the matter, this Court has no occasion to dissuade with the impugned award. Further, the petitioner failed to lead any evidence, much less cogent, to lend credence to her version that she had worked continuously with the respondent-department, and as such, she is entitled to claim the relief of reinstatement, along with other benefits, in terms of the provisions of the ID Act. Not just that, even learned counsel for the petitioner is unable to refer to any document or cite any judicial pronouncement to convince this Court to upset the well-reasoned award passed by the learned Industrial Tribunal. In fact, in the matter at hand, as narrated above, it is the conceded position that the petitioner had not completed 240 days in the preceding year. In this view of the matter, this Court has no reason to interfere with the impugned award, and thus, the same is upheld.

8. In summa, the instant writ petition is **dismissed**.

(KULDEEP TIWARI)
JUDGE

03.12.2025
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No