



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

(122)

CWP No. 8779 of 2025

Date of Decision : 03.04.2025

Upma Sood

...Petitioner

Versus

**The Presiding Officer, Industrial Tribunal & Labour Court, Union
Territory, Chandigarh and another**

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Parmender Singh, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that the petitioner has not been granted the continuity of service from the year 1987 on the date when she was appointed, which fact has not been appreciated by the Labour Court in the correct prospective while passing the Award dated 01.07.2024 (Annexure P-4).

2. Learned counsel for the petitioner argues that after the services of the petitioner were terminated in January, 1988, the said termination was challenged before the Labour Court and during the pendency of the said termination, the petitioner was allowed to join the service and the said reference was disposed of as settled whereas, as per the settlement, the petitioner was to be given continuity of service but without back wages, which benefit was not given, hence, the respondents are liable to be directed to grant the said benefit.

3. I have heard learned counsel for the petitioner and have gone through the record with his able assistance.



4. As per the Award dated 01.07.2024 (Annexure P-14), it is clear that the petitioner was appointed on 01.06.1987 and her services were terminated on 24.01.1988. The petitioner had not even completed 240 days upto the date of termination. Further, in paragraph-13 of the Award, the statement of the petitioner has been reproduced which makes it clear that upon allowing to join the department again on 22.05.1992, the petitioner remained satisfied and stated that she has no dispute with the Management henceforth and the said reference was disposed of being settled.

5. That being so, the grievance that the petitioner was entitled for continuity in service w.e.f. 24.01.1988, which benefit was not being given, is not the part of settlement or even the statement of the petitioner.

6. Further, the petitioner upon re-joining in the year 1992 worked with the respondents and retired and is now claiming the benefit of continuity in service w.e.f. 24.01.1988 is not permissible. Even otherwise, the Award passed by the Labour Court can only be interfered with in case the same is perverse to the evidence and the facts on record and in the present case, the petitioner has not been able to prove that the Award is perverse either to the facts or evidence that have come on record rather same was disposed of as per the statement of the petitioner.

7. Keeping in view the above, no ground is made out for any interference by this Court in the present petition.

8. Dismissed.

April 03, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No