



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(219)

CWP No. 2206 of 2001 (O&M)

Date of Decision : 04.08.2025

Parveen Kumar

...Petitioner

Versus

The Presiding Officer, Labour Court, Hisar and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sanjeev Gupta, Advocate for the petitioner.

None for respondents No. 2 and 3.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the challenge is to the Award dated 20.11.2000 (Annexure P-1) passed by the Labour Court, by which the claim of the petitioner that his services have wrongly been terminated being the violation of Industrial Disputes Act, 1947 (hereinafter referred to as '1947 Act') has not been accepted and the reference has been answered against the petitioner.

2. Learned counsel for the petitioner submits that the petitioner was appointed on post of Technical Resource Person after the Advertisement by office of D.P.E.P., Sirsa (Annexure P-2), though for a particular period but, the employees junior to petitioner have been retained, whereas service of petitioner has been terminated hence, the petitioner is entitled for the relief which fact has been ignored while declining the relief to the petitioner.



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

4. A bare perusal of the finding recorded in paragraph 11 of the impugned Award would show that the petitioner was appointed as a Supervisor and that too for a period of six months and his services came to an end due to non-extension of the contract.

5. Firstly, nothing has been shown to this Court that the petitioner who was working in the Supervisory capacity, can be treated as a Workman so as to grant him the benefit under Industrial Disputes Act, 1947 (hereinafter referred to as '1947 Act'). Even otherwise, once the appointment was for a specific period of time which had also been mentioned in the Advertisement for the said post, it will be covered under Section-2(oo)(bb) of 1947 Act as the same has come to an end due to non-extension of the contract of employment and in case, Section-2(oo)(bb) of 1947 Act is applicable, the same will not amount to retrenchment so as to make the petitioner entitled for retrenchment compensation.

6. Learned counsel for the petitioner has not been able to prove that the said findings are perverse either to the facts or evidence which have come on record.

7. Further, the allegation that the employees junior to petitioner were retained in service, has also been discussed in paragraph 12 of the Award and a finding has been recorded that no name of any junior who was appointed in service after the petitioner was retained in service, has been brought to the notice of the Labour Court.



8. Learned counsel for the petitioner has not been able to rebut the said finding also on the basis of the evidence brought on record.

9. It shall be noted that an Award can only be interfered with in case, there is any perversity in the Award qua the evidence or the facts brought on record.

10. In the present case, learned counsel for the petitioner has not been able to point out any perversity either in the facts or the evidence qua the Award impugned.

11. No ground is made out for any interference by this Court in the facts and circumstances of the present case.

12. Dismissed.

13. Pending miscellaneous application, if any, also stands disposed of.

August 04, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No