



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

CWP-15158-2016

Date of Decision:20.11.2025

**CHANDIGARH STEEL ROLLING & ENGINEERING WORKERS
UNION**

...PETITIONER

Vs.

**PRESIDING OFFICER, LABOUR COURT, U.T., CHANDIGARH AND
ANR.**

...RESPONDENTS

Coram : Hon'ble Mr. Justice Kuldeep Tiwari

Present: Mr. N.K Nagar, Advocate
for the petitioner.

Mr. Ashwani Prashar, Advocate
for respondent No.2.

Kuldeep Tiwari J. (Oral)

1. Though the instant writ petition, a challenge is thrown to an award dated 22.01.2014 (P-9), wherethrough, the reference was made against the respondent-workman, the claims statement was filed by the Trade Union of Steel Rolling and Engineering Workers Union, Chandigarh, whereas, the workman was working as part time sweeper with Punjab State Co-operative Bank Limited, Chandigarh, who is management and arrayed in the party in the array of respondent as second respondent in the writ petition.

2. Learned counsel for the petitioner, while placing reliance upon the judgment passed by Hon'ble Supreme Court of India in the matter of "Jaggo Vs. Union of India & Ors.", 2025 AIR (SC) 296, submits that the workman was working for the last 17 years, before the filing of demand of notice, therefore she is entitled for regularisation of her service. However, the long length of

service has not been considered, rather, an award was passed while answering the reference against the workman.

3. On the other hand learned counsel for the second respondent-management, submitted that the demand notice was filed by the Union of an another industrial establishment, who has nothing to do with the present management. He further submits that the reason for filing the demand notice through different Union is that, as there was at an earlier point, a settlement with the Punjab Co-operative Bank Employee Union, wherethrough, a settlement was arrived for a payment of Rs.1,000/-, as a fixed salary for doing the work of sweeper in bank branches Sector 17 & 22, Chandigarh. Therefore, in order to bring settlement, the instant writ petition was filed through a different Union. He further submitted that the petitioner was not appointed through a selection process, nor any advertisement were issued, rather she was engaged to do the work of sweeping before 10:00 AM, i.e. before opening of the bank only and thereafter, she was free to work elsewhere. Therefore, she is not under the control of management to say that, there exists a master-servant relation, which exist between workman and the respondent-management. He also draws the attention of this Court towards the demand notice, wherein, there is no assertion that how the petitioner was appointed by the respondent-management. Rather, there is only one line in the entire demand notice, stating that the workman is entitled for regularization of her service. The Para-6 is extracted hereinafter:-

“That the workman is entitled to regularisation of her services and the management deserves to be directed to do so, so as to enable the workman not to remain half-fed and lead a life destitute”.

He, finally submitted that there is no perversity or illegality requiring this Court to exercise its supervising power to interfere in the well reasoned impugned award.

4. This Court has considered the submission made by both the parties concerned, and finds that there is no merit, in the instant petition, as preferred by the Union.

5. For the reason that the petitioner admit in her cross-examination that she was working with the bank only before 10:00 AM, and only for the work of sweeping. She also agreed that there is no appointment letter, or any letter requiring the workman to work for entire day, or she used to work 08 hours a day. In cross-examination she took a contradictory stands, and because of this reason, learned Tribunal concerned did not find confidence in her deposition. The relevant extracted is hereinafter:-

“No advertisement was published by the management before appointing me. I do not remember if I was given appointment letter by the bank. It is correct that I was doing sweeping work in the bank branch Sector 17 & 22 before 10:00 AM. I do not have any letter issued by the bank in which I was asked to work for entire day. Vol. I used to work for 8 hours a day. It is correct that nowhere in the record my presence for having performed my duties for 8 hours a day is recorded by the management. Vol. My presence is marked in the record in Sector 22 branch of the bank. I do not remember the duration during which my presence is marked in Sector 22 branch”.

6. The workman, who was working only for one or two hours i.e. before opening of the bank, has failed to convince this Court, by citing any statutory service rules, or any document to substantiate that there is any regular

post for Sweeper seeking the relief of regularization or she can claim as a matter of right for regularization.

7. In absence of an material evidence, this Court does not find any reason to interfere into the well reasoned award.

8. The petition is accordingly, **dismissed**.

20.11.2025
hitesh

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No