



CWP-26122-2017

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

(232)

CWP-26122-2017

Date of Decision : 10.12.2025

Ram Kumar

...Petitioner

Versus

The Presiding Officer, Labour Court,
Ambala and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Vivek Singla, Advocate
for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

KULDEEP TIWARI, J.(ORAL)

1. The petitioner/workman, fetching grievance from the award dated 27.04.2017 (Annexure P-4), passed by the learned Tribunal concerned, wherethrough, the reference was answered against him, has filed the instant writ petition, cast under Article 226/227 of the Constitution of India, to throw challenge to the award (supra).

2. Learned counsel for the petitioner, in an endeavour to throw challenge to the award (supra), submitted that the petitioner/workman was engaged as labourer against the vacant sanctioned post, on 05.01.1990, and his last drawn wages was Rs.6,390/-, and he continued to work upto 2004, and thereafter, he worked in Bhurewala Beat in fields and worked there for six years, under the supervision of guard namely, Shish Pal. Again the workman was shifted to Choti Bassi Nursery in 2010, and lastly worked as labourer, under the supervision of Daroga Subhash Saini. Earlier the



petitioner/workman, has filed Civil Suit before the Civil Court concerned, against the respondent/Management, for regularization of his services. On 07.10.2014, Coordinate Bench of this Court, passed the order of *status quo*. However, on 12.10.2014, his services were terminated in violation of mandatory provisions of Industrial Disputes Act, 1947 (hereinafter to be referred as 'the ID Act'). Even, the junior persons to the petitioner/workman were retained in service. He submits that the impugned award suffers from infraction of Section 25-F, as well as, Section 25-G and 25-H of the ID Act.

3. Learned counsel for the respondent/Management, submitted that the petitioner/workman, was appointed only under the MGNREGA Scheme, that too from 2008 to 2010, and once the respondent/Management stopped receiving funds under the said scheme, they closed down the scheme itself and therefore, it cannot be considered by any stretch of imagination that it is a case of retrenchment.

4. At the very outset, this Court has put a specific query to learned counsel for the petitioner, as to what evidence he has led to establish that the petitioner/workman has worked with the respondent/Management, prior to 2008, to which, he fairly submits that except the affidavit of the petitioner/workman, no evidence was led to substantiate his arguments before the learned Tribunal concerned.

5. This Court has considered the submissions made by learned counsel for the parties concerned, as well as, the impugned award and finds that it is a case of no evidence.

6. In the instant case, the petitioner/workman has failed to establish that he has worked for 240 days in the preceding year, requiring the respondent/Management, to comply the provisions of Section 25-F of the ID



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Act. Further, in the instant case, the positive evidence was brought on record that the petitioner/workman was engaged under the MGNREGA Scheme, and upon closure of the said scheme, he could not be re-instated into the service.

7. In view of the above, no perversity or illegality has been pointed out by learned counsel for the petitioner, requiring this Court, to interfere in the impugned award. Consequently, the impugned award is **upheld**, and the instant writ petition is **dismissed**.

(KULDEEP TIWARI)
JUDGE

December 10, 2025
Manpreet

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