

CWP-5988-2016 & Connected cases -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

226 (05 cases)

CWP-5988-2016
Date of Decision :23.01.2025

Ibrahim

...Petitioner

Versus

Presiding Officer, Labour Court, Faridabad
and others

...Respondents

CWP-6058-2016

Mohd. Ezaz

...Petitioner

Versus

Presiding Officer, Labour Court, Faridabad
and others

...Respondents

CWP-6059-2016

Samim Khan

...Petitioner

Versus

Presiding Officer, Labour Court, Faridabad
and others

...Respondents

CWP-4466-2016

Alizan

...Petitioner

Versus

Presiding Officer, Labour Court, Faridabad
and others

...Respondents

CWP-4480-2016

Mohd. Sagoon

...Petitioner



CWP-5988-2016 & Connected cases -2-

Versus

**Presiding Officer, Labour Court, Faridabad
and others**

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Malkit Kaur, Advocate for
Mr. Mohammad Arshad, Advocate for the petitioner(s).

None for the respondents.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present bunch of petitions, the challenge is to the impugned award dated 19.10.2015 whereby, the challenge of the petitioner(s)-Workmen qua their alleged termination in violation of the Industrial Dispute Act, 1947 has been declined.

2. Learned counsel for the petitioner(s)-Workmen submits that the findings which have been recorded by the Industrial Tribunal-cum-Labour Court, Faridabad vide award dated 19.10.2015 are contrary to the evidence on record and are perverse hence, the same is liable to be set aside.

3. I have heard learned counsel for the petitioner(s)-Workmen and have gone through the record with her able assistance.

4. The findings which have been recorded by the Industrial Tribunal-cum-Labour Court which declined the claim of the petitioner(s)-Workmen on the ground that they have not completed 240 days of service in the preceding 12 months prior to the alleged date of termination and hence, Section 25(F) of the Industrial Dispute Act, 1947 has not been violated. Further, it has been held that no other provisions alleged to be



CWP-5988-2016 & Connected cases -3-

violated has been proved on record.

5. Learned counsel for the petitioners(s)-Workmen has not been able to point out any evidence/fact which was brought on record by the petitioners(s)-Workmen to show that the said workmen had completed 240 days in the preceding 12 months prior to the alleged termination.

6. Further, it was the assertion of the respondents that the petitioners(s)-Workmen were given the job of driver but when required and at one given point of time, the trucks along with the material loaded valued lacs of rupees were left abandoned by the petitioners after which, the petitioners(s)-Workmen never reported on duty.

7. Learned counsel for the petitioners(s)-Workmen has not been able to rebut even the said fact on the basis of the evidence, which has been brought on record .

8. The award of the Labour Court can only be set aside in case perverse to the evidence or facts on record. As the learned counsel for petitioners(s)-Workmen has not been able to point out any perversity in the said award, same cannot be set aside.

9. Keeping in view the facts and circumstances recorded hereinbefore, the present petitions are dismissed.

10. A photocopy of this order be placed on the file of connected cases.

January 23, 2025
aarti

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No