



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

CWP-19663-2025 (O&M)

Date of Decision : 16-07-2025

UNION OF INDIA AND OTHERS Petitioner(s)

VERSUS

SATISH KUMAR AND ANOTHER Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ravindra Pal Singh, Senior Panel Counsel
 for the petitioners.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the challenge is to the award passed by the Labour Court dated 11.06.2024, copy of which has been appended as Annexure P-5 by which, the respondent-Workman has been directed to be reinstated in service along with continuity and 50% of the backwages.

2. Learned counsel for the petitioners submit that the respondent-Workman was not working on regular basis but was temporary employee hence, the Section 25-F of the Industrial Disputes Act, 1947 will not be applicable in the case of an employee who is working on temporary basis.

3. Learned counsel for the petitioner submits that the said aspect has been ignored by the Tribunal while recording the finding that there is a violation of Section 25-F of the Industrial Disputes Act, 1947 ("1947 Act"), is incorrect.

3. I have heard learned counsel for the petitioner and have gone through the records of the present case with his able assistance.

4. The argument which is being raised by the learned counsel for the petitioner is that the 1947 Act will not be applicable upon a temporary employee working with the petitioner.

5. On being asked to show any provision which differentiates between a temporary employee and a regular worker qua the provisions of the 1947 Act, learned counsel for the petitioner has not been able to substantiate the same.

6. Once, no such provision has been brought to the notice of this Court which stipulate that the 1947 Act is not applicable upon a temporary worker, who has worked for a continuous period of 11 years, the ground which is being taken to challenge the award dated 11.06.2024 (Annexure P-5), is incorrect and cannot be accepted.

7. It is further submitted that the award dated 11.06.2024 (Annexure P-5) can only be interfered with by this Court in case, the same is perverse either to the evidence or the facts of the case or any provision which may have wrongly been interpreted by the Tribunal while passing the impugned award.

8. In the present case, learned counsel for the petitioner has not been able to substantiate that the award dated 11.06.2024 (Annexure P-5) is perverse on any account.

9. Keeping in view the totality of the circumstances, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

10. Present petition is dismissed.

11. Pending application, if any, also stands disposed of.

16-07-2025
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES
Whether reportable: NO