

130+157

2025.PHHC:175008-DB



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision : 15.12.2025

1.

LPA-2917-2025 (O&M)

Darshan

Vs.

...Appellant

Presiding Officer, Industrial
Tribunal-cum-Labour
Court, Ambala and another

...Respondents
2.

LPA-2939-2025 (O&M)

Lakhwinder Singh

Vs.

...Appellant

Presiding Officer, Industrial
Tribunal-cum-Labour
Court, Ambala and another

...Respondents
3.

LPA-2955-2025 (O&M)

Ram Phal

Vs.

...Appellant

Presiding Officer, Industrial
Tribunal-cum-Labour
Court, Ambala and others

...Respondents
4.

LPA-3183-2025 (O&M)

Naresh Kumar

Vs.

...Appellant

Presiding Officer, Industrial
Tribunal-cum-Labour
Court, Ambala and another

...Respondents
5.

LPA-3248-2025 (O&M)

Ramesh Chand

Vs.

...Appellant

Presiding Officer, Industrial
Tribunal-cum-Labour
Court, Ambala and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Yash Kaushik, Advocate for
Mr. Ajay Chaudhary, Advocate
for the appellant(s).

DEEPAK MANCHANDA, J.

CM-8064-LPA-2025 in LPA-3248-2025

This is an application seeking condonation of delay of 05 days in re-filing the appeal.

For the reasons mentioned in the application, the same is allowed.

Delay of 05 days in re-filing the appeal is condoned.

CM-7337-LPA-2025 in LPA-2917-2025

CM-7397-LPA-2025 in LPA-2939-2025

CM-7413-LPA-2025 in LPA-2955-2025

CM-7923-LPA-2025 in LPA-3183-2025

CM-8066-LPA-2025 in LPA-3248-2025

These are applications seeking condonation of delay of 102 days in filing the appeal(s).

For the reasons mentioned in the applications, the same are allowed. Delay of 102 days in filing the appeal(s) is condoned.

Main Appeal

By this common order the aforementioned five Letters Patent Appeals shall stand disposed of. These intra-court appeals involve similar questions of law, therefore, the facts of LPA No.2917 of 2025 are being considered for the adjudication of the appeals.

2. Through this intra-court appeal, the appellant has challenged the impugned judgment dated 30.04.2025 passed by the learned Single Judge,

whereby the writ petition preferred by appellant seeking quashing of award dated 28.03.2018 passed by Labour Court, Ambala, was dismissed.

3. The brief facts emanating from the pleadings of the present appeal are that the Labour Court passed an award against the appellant, whereby his claim that the appellant was appointed as Labourer on daily wages on 25.01.2000 with the respondent-management at Machhrehri in Saraswati Range, Katihal for maintenance of plants etc. The services of the appellant were illegally terminated on 10.03.2017 without the compliance of Section 25F of the Industrial Disputes Act. It is pleaded that after the issuance of demand notice and consideration proceedings, the appellant approached the Labour Court, where, by an award dated 28.03.2018, the claim of the appellant was rejected. Being aggrieved, the appellant challenged the said award dated 28.03.2018 through writ petition bearing CWP No.7290-2019, which was dismissed vide the impugned judgment dated 30.04.2025 and the learned Single Judge upheld the award passed by the Tribunal with the observations that there was no existence of master and servant relationship between the appellant and respondent-department. Now, this intra court appeal has been preferred against the impugned judgment dated 30.04.2025.

4. Learned counsel for the appellant contends that the learned Single Judge failed to appreciate that the appellant was initially appointed directly by the department prior to introduction of the alleged contract system. It was pleaded that the work was carried out by Contract Labour on Muster Rolls from 01.04.2015 to 30.06.2015, which was withdrawn on 24.08.2015, thereafter the work was taken through Village Forest Committee (VFC), therefore, there is no direct link with the contractors of VFCs. It was further

pleaded that they could not produce any appointment letter or salary receipt as the department was making online payments. It was contended that the services of the appellant were terminated without issuance of notice or retrenchment compensation, in complete violation of Sections 25-F and 25-T of the Act, rendering the action arbitrary and discriminatory. Hence, the impugned judgment dated 30.04.2025 deserves to be set aside.

5. Heard.

6. A perusal of the impugned judgment dated 30.04.2025 and award dated 28.03.2018 passed by the Labour Court shows that the appellant-workman failed to prove the master and servant relationship with the respondent-department. No documentary evidence such as the appointment letter or the salary being disbursed to the workman employee by the department was ever produced before the Labour Court. The relevant extract of the impugned judgment reads as follows:

“2. In the present bunch of petitions, the challenge is to the award passed by the Labour Court wherein, the claim of the petitioner(s) that their services were terminated in violation of the provisions of the Industrial Disputes Act, 1947, has been rejected.

*3. Learned counsel for the respondents at the outset submits that similar writ petitions filed by the other similarly situated employees have already been dismissed by this Court on 04.04.2025 while passing order in CWP No.1046 of 2025 titled “**Nishan Singh Vs. State of Haryana and ors.**” and other connected cases.*

*4. Learned counsel for the petitioner(s) has not been able to rebut that the order passed by this Court in **Nishan Singh’s case (supra)** covers the claim of the petitioner(s).*

*5. Keeping in view the detailed reasons mentioned in **Nishan Singh’s case (supra)**, the present bunch of petitions are also dismissed in terms of findings recorded in **Nishan Singh’s case (supra)**.”*

7. This Court has also dealt with an identical issue in **LPA-1507-2025** titled *Nishan Singh vs. State of Haryana & others*, decided on 10.09.2025 filed against the judgment passed in *CWP No.1046 of 2025* titled *Nishan Singh vs. State of Haryana and others*, wherein the appeal was dismissed and the learned Single Judge has also relied upon the judgment passed in CWP No.1046 of 2025, while dismissing the CWP No.7248 of 2019 filed by the appellant.
8. Learned counsel for the appellant is unable to dispute the above-referred judgment, which squarely covers the present appeal on identical facts. No other argument has been addressed.
9. Given the above discussion, we believe that the learned Single Judge rightly dismissed the writ petition vide impugned judgment dated 30.04.2025 preferred by the appellant-workmen and the same does not contain any perversity or error.
10. Consequently, the above-mentioned Letters Patent Appeals stand dismissed. All pending miscellaneous application(s) shall also stand disposed of.

(DEEPAK MANCHANDA)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

15.12.2025

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No