



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

CWP-3512-2001

Date of Decision :22.04.2026

CHANDAN LAL (SINCE DECEASED) THROUGH HIS LRs.

.....Petitioner

VERSUS

PRESIDING OFFICER, LABOUR COURT AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. F.S.Virk, Advocate,
for the petitioners.

Mr. Kapil Bansal, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, filed under Article 226/227 of the Constitution of India, the legality of the impugned Award dated 29.09.2000 (Annexure P-6), has been put to challenge by the workman (since deceased), as the reference was answered against him, and the claim statement was dismissed.

2. During the pendency of the instant petition, the petitioner-workman, died, and now the instant petition, is being contested by his LRs, who are already on record.

3. Learned counsel for the petitioners submits that there is a clear violation of Sections 25-F and 25-G of the Industrial Disputes Act, 1947, and the learned Tribunal has failed to appreciate the fact in its right

perspective, therefore, the impugned Award is required to be interfered with.

3. Elaborating his arguments, he submits that the workman, had earlier filed a civil writ petition bearing No.10013 of 1989, which was dismissed. However, in view of the status *quo* regarding his service granted vide order dated 07.08.1989, the workman continued to work upto 01.01.1994.

4. No other argument raised on behalf of the petitioners.

5. On the other hand, learned State counsel draws attention of this Court Ex.R-1, to submit that the petitioner had completed only 107 days in the last 12 months preceding to the date of termination, and there is a finding to this effect by the learned Tribunal.

6. He further submits that the petitioners is unable to point out that any junior to the workman has been retained or appointed after his termination, to establish violation of the Section 25-G of the Industrial Disputes Act, 1947.

7. This Court has examined the submissions, as made by learned counsel for the parties concerned, and has perused the entire case file.

8. From the record, it transpires that the workman, has worked only for 107 ½ days as against required 240 days in the 12 months preceding the date of his termination. Learned counsel for the petitioners, is unable to point out any evidence which has not been appreciated by the learned Tribunal, to conclude that the workman has completed 240 days in the 12 months preceding the date of his termination, for this Court to

interfere into the well reasoned Award.

9. He is unable to point out any single evidence to substantiate that, any junior to the workman, was ever retained, or appointed after his termination. Therefore, this Court cannot conclude that there is an infraction of Section 25-G of the Industrial Disputes Act, 1947. This Court finds that the the learned Tribunal has appreciated all the evidence in its right perspective, and there is no error requiring interference.

10. Accordingly, the instant petition, stands **dismissed**.

11. All pending application(s), if any, stand **disposed** of accordingly.

April 22, 2026
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No