



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

CWP-3948-2001 (O&M)

Date of decision: 16.04.2026

Parwinder Singh

....Petitioner

Versus

Presiding Officer, Labour Court, Bathinda and anotherRespondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ajay Kumar Chaudhary, Advocate,
for the petitioner.

Mr. Karundeeep Singh, Advocate,
for respondent No.2.

KULDEEP TIWARI, J. (Oral)

1. The petitioner-workman, by way of instant writ petition, as cast under Article 226/227 of the Constitution of India, has assailed the award dated 14.11.2000 (Annexure P-9), vide which, reference was answered against him, on the ground that his services were retrenched, owing to absence of any requirement of J.E. (Civil), with the respondent-Management. In essence, he was validly terminated, after payment of due compensation to him.

2. The lone submission raised before this Court to assail the award (supra), is that post retrenchment of the petitioner-workman, the Management assigned the work to one M/s Bansal Enterprises, through a work order dated 23.10.1993, which evidently amounts to infraction of Section 25-G and 25-H of the Industrial Disputes Act, 1947 (for short, 'the Act'). In this regard, he refers to Ex.W5 to Ex.W7, appended as Annexures P-10 to P-12, with the instant writ petition.



3. This Court has heard learned counsel for the parties, and has also gone through the record, including Ex.W5 to ExW7.
4. In nutshell, the petitioner was engaged by the respondent-Management as J.E. (Civil) on 01.09.1989, on monthly remuneration of Rs.2588/-. However, his services were terminated on 24.11.1993, without serving any charge-sheet or payment of compensation. Aggrieved, he filed a demand notice under the provisions of the Act, which eventually, culminated into an industrial dispute.
5. Upon notice, the Management filed a detailed written statement, with a preliminary objection that, in fact, claim of the petitioner would not be covered under the Act.
6. After analyzing the matter, and the evidence brought on record by both the parties, the learned Labour Court, as indicated above, answered the reference against the petitioner-workman. Hence, the instant writ petition.
7. Given the nature of work, which was assigned to the abovesaid private firm, it can be conveniently deciphered that the same was not the job of J.E. (Civil), as it involved distempering; finishing of walls; and painting two coats with Synthetic Enamel paints etc. Since the gamut of the entire controversy lies in the work order (Annexure P-10), it is imperative to refer thereto, before proceeding further with the matter:-

SCOPE OF WORK

1.	Distempering with washable oil-bound distemper in all shades (of approved Manufacture) two coat on old distempered work.	Complete job as shown
2.	Finishing walls with exterior decorative cement based paints such as snowcem, Robbiacem etc. on new work two coats to give an even shade	One newly constructed wall only



	including rubbing down old paint	
3.	Painting two coats with Synthetic Enamel paints in all shades on old wood work or metallic or plastered or concrete surfaces to give an even shade including rubbing down old paint	Complete job as shown

8. Upon a bare perusal of the abovesaid scope of work, this Court is of the affirmed view that the task was certainly beyond the duties of a Junior Engineer (Civil). Further, the nature of the duties being performed by the petitioner was supervisory, and this factual aspect of the matter was not even denied by him. In such a situation, Ex.W5 to Ex.W7 do not, in any manner, showcase infraction of Section 25-G and H of the Act. Therefore, no occasion arises for this Court to interfere with the well reasoned award.

9. In the wake of the above, the instant writ petition, being lacking merits, is **dismissed**.

(KULDEEP TIWARI)
JUDGE

16.04.2026
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No