



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

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**CWP-7506-2026 (O&M)
Date of decision: 12.03.2026**

The General Manager (PUNBUS) and others

....Petitioners

Versus

Manpreet Singh and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vikas Arora, DAG, Punjab
for the petitioners.

HARPREET SINGH BRAR J. (Oral)

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Certiorari, seeking quashing of the order dated 28.08.2025 (Annexure P-4) passed by the learned Presiding Officer, Industrial Tribunal, S.A.S. Nagar, Mohali whereby the learned Labour Court has directed the petitioners to reinstate the workman/respondent No. 1 with continuity of service and to pay him 50% back wages.

2. Learned State counsel representing the petitioners has, *inter alia*, contended that the workman was a contract employee and his services were terminated in accordance with the terms and conditions of appointment letter dated 22.09.2015. It is further argued that the workman was caught red-handed committing an embezzlement of Rs.450/- by not issuing a ticket to a passenger and he admitted his fault on the spot. Since this was the fourth instance of such misconduct, he



was blacklisted/terminated. He has further submitted that since the workman admitted his guilt, no formal departmental enquiry was required and the principles of natural justice were not violated.

3. I have heard learned counsel for the petitioners and have perused the record of this case.

4. Admittedly, the workman was terminated from service on the allegation of embezzlement. A perusal of the impugned award reveals that learned Labour Court has categorically observed that the petitioners failed to conduct any departmental enquiry or issue any show-cause notice to the workman before passing the punitive and stigmatic order of termination/blacklisting. The learned Labour Court has rightly relied upon the principles of natural justice (*audi alteram partem*) and the settled proposition of law that even a contractual employee cannot be terminated on the grounds of misconduct without affording him a reasonable opportunity of being heard. The termination being stigmatic, the requirement of proper enquiry is not a mere formality but a mandate of law and the terms of a contract cannot override this fundamental protection.

5. Learned counsel for the petitioners has not been able to controvert or rebut the findings of the learned Labour Court that no enquiry was held and no opportunity of hearing was granted to the workman before his termination. The argument that an admission of guilt on the spot dispenses with the need for an enquiry, cannot be sustained, as such an admission itself needs to be properly recorded and



verified in a subsequent enquiry. The action of the petitioners, therefore, suffers from a clear violation of the principles of natural justice.

6. Consequently, this Court finds no illegality, irrationality or perversity in the findings recorded by the learned Labour Court warranting interference by this Court in its extraordinary writ jurisdiction. The impugned award passed by the learned Labour Court is based on a correct appreciation of facts and law.

7. In view of the above discussions, the present writ petition is found to be devoid of any merit and is hereby dismissed.

(HARPREET SINGH BRAR)
JUDGE

12.03.2026
yakub

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No