

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

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CWP-14307-2017

Date of Decision : May 13, 2026

GURMEET SINGH

-PETITIONER

V/S

PRESIDING OFFICER, INDUSTRIAL TRIBUNAL AND ORS.

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Gursher Singh Dhillon, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, A.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, the petitioner/workman assails the award dated 03.03.2017 passed by the Industrial Tribunal, Amritsar, whereby the reference was answered against him on two grounds, namely: (i) the earlier reference filed by the workman on the same cause of action was simpliciter dismissed as withdrawn; and (ii) the workman failed to establish that he had completed 240 days of service in the twelve months preceding the date of termination.

2. Learned counsel for the workman submits that the earlier reference was withdrawn with the intention of arriving at an amicable settlement with respondents No.2 and 3/management, and therefore, the second reference was not barred by the principle of *res judicata*. In support of his contention, reliance is placed upon the judgment of the Hon'ble Supreme Court in "*Sarva Shramik Sanghatana (K.V.) Mumbai vs. State of Maharashtra and others*", 2008(1) SCT 389.

3. No other submission has been advanced on behalf of the workman.

4. What emerges from a perusal of the record is that the earlier reference was referred to the Lok Adalat and the workman made a statement therein seeking its simpliciter withdrawal. Once the matter was placed before the Lok Adalat, it is evident that the same was with a view to explore an amicable resolution between the workman and the management. In such circumstances, the voluntary withdrawal of the reference indicates that the workman chose not to pursue the process of settlement. Therefore, the judgment relied upon by learned counsel for the workman is of no assistance in the facts of the present case.

5. The present case pertains to the simpliciter withdrawal of the earlier reference by the workman on his own volition, and consequently, the second reference on the same cause of action was not maintainable. The Industrial Tribunal has, therefore, rightly so held.

6. In view of the above, this Court finds no merit in the instant writ petition, and the same is accordingly **dismissed**.

May 13, 2026
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(KULDEEP TIWARI)
JUDGE

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