



CWP-22805-2021 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-22805-2021 (O&M)
Date of Decision :30.07.2025

M/s Cross Autotech Component (P) Ltd

...Petitioner

Versus

The Presiding Officer, Industrial Tribunal-II,
Faridabad and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gaurav Gupta, Advocate for the petitioner.

None for respondent No.2.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the challenge is to award dated 29.01.2020 (Annexure P/2) passed by the Presiding Officer, Industrial Tribunal-II, Faridabad (for short, 'Labour Court') by which, a finding has been recorded that the services of the respondent No.2-workman were wrongly terminated in violation of provisions of Industrial Disputes Act, 1947 (hereinafter referred to as '1947 Act') and the benefit of reinstatement in service with continuity as well as back wages @ 50% has been granted to the respondent No.2-workman.

2. Learned counsel for the petitioner-company submits that no master and servant relationship existed between the petitioner-company and respondent No.2-workman and without deciding the said issue, a finding has been recorded by the Labour Court that services of the respondent No.2-



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workman has wrongly been terminated in contravention of provisions of 1947 Act hence, the impugned award dated 20.01.2020 being perverse to the facts and evidence brought on record, is liable to be set aside.

3. I have heard learned counsel for the petitioner and have gone through the record with his able assistance.

4. It may be noticed that the respondent-workman had approached the authorities under the Payment of Wages Act for claiming wages wherein, an order dated 10.10.2016 (Annexure P/3) has been passed by the competent authority directing the petitioner-company to pay a sum of Rs.63,464/- by recording a finding that there existed master and servant relationship between the petitioner-company and respondent No.2-workman and the respondent-workman was not paid wages for the period he worked. Once, the said finding has not been disputed or even challenged by the petitioner-company, the argument of the learned counsel for the petitioner that no master and servant relationship existed between the petitioner-company and respondent No.2-workman, cannot be accepted.

5. A litigation which has already ended between the same parties, the decision of the same cannot be ignored and has rightly been accepted by the Labour Court while recording the finding that there existed master and servant relationship between the petitioner-company and respondent No.2-workman as per the order passed by the statutory authority, copy of which was brought on record as Ex.W4/1 (Annexure P/3).

6. Learned counsel for the petitioner-company has not been able to controvert the said fact.

7. Keeping in view the fact that the only argument raised by the



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learned counsel for the petitioner-company that no master and servant relationship existed between the petitioner-company and respondent No.2-workman, has been dealt with in the manner required keeping in view the facts and evidence brought on record and the findings recorded by the Labour Court have not proved to be perverse in any manner, no ground for interference by this Court is made out and the writ petition is accordingly dismissed.

8. Civil miscellaneous application pending, if any, is also disposed of.

July 30, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No