



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

**(107)**

**CWP No. 656 of 2025**

**Date of Decision : 04.03.2025**

**M/s Sanjivani Research Laboratory**

**...Petitioner**

**Versus**

**The Presiding Officer, Industrial Tribunal-cum-Labour Court, Panipat  
and another**

**...Respondents**

***CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI***

Present: Mr. Diwan S. Adlakha, Advocate for the petitioner.

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**Harsimran Singh Sethi J. (Oral)**

1. In the present petition, the challenge is to the Award dated 13.08.2024 (Annexure P-4) passed by the Labour Court by which petitioner has been directed to pay compensation of ₹4,00,000/- to the respondent-workman.

2. Learned counsel for the petitioner submits that the respondent-workman had abandoned the job hence, granting her the benefit of compensation by holding that her services were wrongly terminated, is incorrect. Learned counsel for the petitioner further submits that the respondent-workman remained in the employment till 08.01.2010 and her dues had already been settled upto the said date, hence, it is not a case of termination but of voluntarily leaving the job, which aspect has not been correctly appreciated by the Labour Court while passing the impugned Award.



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

4. The first question which arise for adjudication before this Court is whether, the respondent-workman had voluntarily abandoned the job or her services were terminated. As per the petitioner, they never terminated the services of the respondent-workman. It may be noticed that a specific question was put to the witness MW-1, who was petitioner's witness, as to whether any letter was written to the respondent-workman to join the service and the witness conceded that no such letter was written to the respondent-workman to join the service so as to prove that the respondent-workman had abandoned the job.

5. Further, on one hand the petitioner is contending that the respondent-workman had left the job after settling her dues. On being asked to point out the payment of the dues upto 08.01.2010, no such evidence has been brought on record with regard to such payment hence, the contention of the respondent-workman that she had gone on maternity leave in September, 2009 and came back to join in January, 2010 but she was not allowed to do so, has been rightly accepted by the Labour Court.

6. Further, while challenging an Award, the perversity in the Award has to be shown qua the facts and the evidence on record, whereas in the present case, no such perversity has been pointed out by the learned counsel for the petitioner. Learned counsel for the petitioner intends that this Court should re-appreciate the facts so as to come to the conclusion other than the one arrived at by the Labour Court which is beyond the jurisdiction of this Court even in Article 226 of the Constitution of India.

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7. No ground is made out for any interference by this Court in the present petition.

8. Dismissed.

**March 04, 2025**  
*kanchan*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

*Whether speaking/reasoned : Yes*

*Whether reportable : No*