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

(245)

CWP-21929-2021

Date of Decision : July 29, 2025

Laxman

.. Petitioner

Versus

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

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Bharat Bhushan Sharma, Advocate, for the petitioner.

None for respondent No.2.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the grievance being raised by the petitioner is that the petitioner was appointed on 18.01.1997 vide letter dated 17.01.1997 when the Safai Karamchari in the State of Haryana, had gone on strike and the petitioner worked with respondents for a substantial period but later on, the respondent No.2-Corporation decided to reinstate the striking employees in service after they withdrew from the strike and the petitioner became a surplus employee leading to his termination without any valid justification.

2. Learned counsel for the petitioner submits that after terminating the services of petitioner, he was taken on daily wage service and therefore, termination of the services of the petitioner was bad.



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3. No one has appeared on behalf of respondent No.2.
4. I have heard learned counsel for the petitioner and have gone through the record with his able assistance.
5. As per the Award dated 19.11.2014 (Annexure P-5), the petitioner had worked with the respondents starting from 17.01.1997 till 01.01.2001. The services of the petitioner came to an end as the employees against whose post the petitioner was appointed, were reinstated in service again on the post they had been working prior to going on strike. That being so, there was no post to accommodate the petitioner and after complying with Section 25-F of the Industrial Disputes Act, 1947 (hereinafter referred as '1947 Act'), the services of the petitioner were retrenched.
6. Learned counsel for the petitioner has not been able to dispute the same.
7. Once, the posts against which the petitioner was working, were given back to the employees, who were reinstated in service and had a better claim than the petitioner and the petitioner became a surplus employee, there was no other option but to retrench the services of the petitioner by complying with the provisions of the 1947 Act which process was concededly done by the respondents hence, in the absence of any provisions of 1947 Act being violated, no ground is made out to grant any relief to the petitioner.
8. Accordingly, the writ petition is dismissed.

July 29, 2025

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No