



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

115

Date of Decision: 23.09.2025.

(1) LPA-2874-2025 (O&M)

Executive Officer, Panchayat Samiti, Khuhia SarwarAppellant.

VERSUS

Jagsir Singh and othersRespondents.

AND

(2) LPA-2876-2025 (O&M)

Panchayat Samiti, Khuhia SarwarAppellant.

VERSUS

Jagsir Singh and othersRespondents.

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Nakul Sharma, Advocate for the appellant.

ANUPINDER SINGH GREWAL, J. (Oral)

CM-7231-LPA-2025 IN LPA-2874-2025

CM-7237-LPA-2025 IN LPA-2876-2025

Exemption applications are allowed, as prayed for.

CM-7233-LPA-2025 IN LPA-2874-2025

CM-7239-LPA-2025 IN LPA-2876-2025

Prayer in these applications is for condonation of delay of 85 days in filing LPA No.2874 of 2025 and 67 days in filing LPA No.2876 of 2025 respectively.

Heard.

For the reasons stated in the applications, the same are allowed and delay in filing the appeals is condoned.

Main Cases

This judgment shall dispose of two appeals bearing LPA No.2874 of 2025 and LPA No.2876 of 2025 as common question of law and facts are involved. For the sake of convenience, facts are being taken from LPA No.2874 of 2025.

2. The appellant-Samiti has impugned the judgment of the Single Bench dated 27.05.2025 whereby the writ petition preferred by it challenging the Award of the Labour Court, has been dismissed.

3. Learned counsel for the appellant-Samiti vehemently argues that respondent No.1 had not worked for 240 days in a calendar year and there is no appointment letter in his favour and, therefore, the Labour Court was not justified in directing his reinstatement in service. He further submits that 30% back wages are excessive as respondent No.1 had admittedly worked only for two years. Thus, the writ petition challenging the Award ought to have been allowed.

4. Heard.

5. Respondent No.1 is stated to have worked with the appellant as Mali-cum-Chowkidar. His services were terminated which compelled him to raise an industrial dispute. The appellant was proceeded against *ex parte* on 07.12.2011 and an *ex parte* Award was passed on 04.06.2013. The appellant thereafter preferred an application for setting aside the *ex parte* Award, which was dismissed as withdrawn on 22.09.2014. The appellant thereafter preferred another application on the same cause of action for setting aside the *ex parte*

Award, which was dismissed as not maintainable by the Tribunal on 27.10.2016. The appellant had preferred the writ petition challenging the Award only in the year 2019, which has been dismissed by the impugned judgment. We are in agreement with the judgment of the Single Bench that rights stood crystallized in favour of respondent No.1 by the Award of the Labour Court and only after long delay of over a decade, the appellant filed a writ to set aside the *ex parte* Award as it wants to lead evidence. It is, thus, patent that the appellant was not diligent in defending the case, did not appear before the Labour Court and was proceeded *ex parte*. The appellant preferred an application for setting aside the *ex parte* Award and withdrew the same. The casual approach of the appellant in the legal process cannot defeat the rights of respondent No.1/workman who is entitled to enjoy the fruits of success in litigation.

6. Consequently, the Letters Patent Appeals being devoid of any merit stand dismissed.

7. Pending application(s), if any, also stands disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

23.09.2025

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