



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

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**CWP-5784-2001 (O&M)  
Decided on :26.03.2025**

BAL KISHAN

. .Petitioner

Versus

M/S FARIDABAD FORGING PVT. LTD. AND ANR.

. . . Respondents

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

PRESENT: Mr. A. P. Bhandari, Advocate for the petitioner.

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**HARSIMRAN SINGH SETHI, J. (Oral)**

1. In the present petition, the challenge is to the impugned Award dated 10.11.2000 (Anneuxre P-5) by which, the claim of the petitioner that his services had been terminated by the respondents-department, which action on the part of the respondents-department is illegal, arbitrary and in violation of the provisions of the Industrial Disputes Act, 1947.

2. Learned counsel for the petitioner submits that though the petitioner in the proceedings before the Tribunal was claiming the termination of his services at the hand of the respondents as bad but, the claim of the petitioner has been declined by the Tribunal vide its impugned order only on the ground that the petitioner had rendered his resignation letter to respondent-corporation which was duly accepted by the respondents-corporation.

3. Learned counsel for the petitioner further submits that the arguments of the petitioner before the Tribunal that he had never resigned from the service has not been dealt with in a manner required, hence, the impugned award is liable to be set-aside and the petitioner should be



reinstated alongwith continuity in service alongwith other consequential benefits.

4. Learned counsel for the petitioner further submits that even otherwise the handwriting expert should have been called so as to compare the signature appended upon the resignation letter of the petitioner to that of the real signature of the petitioner.

5. I have heard learned counsel for the petitioner and have gone through the case file with his able assistance.

6. It may be noticed that in the claim petition, the petitioner has never disclosed the fact that he had resigned from the services whereas, he had been claiming that his services had been wrongly terminated by respondent-corporation. It was only the respondents, who placed on record the resignation letter rendered by the petitioner which was accepted by the respondent-corporation. Even at that stage, very surprisingly, the petitioner had not only denied the signatures appended on the said resignation letter but, he also denied the signatures on the claim petition which he had filed.

7. The findings have been recorded by the Labour Court vide its impugned order that even from the naked eye, the signatures on the resignation letter submitted by the petitioner and on the claim petition, were identical. Once, the said findings have been recorded by the Tribunal in its impugned order, this clearly shows that the petitioner was not truthful either to the Labour Court and a person who does not approach the Court with the clean hands, cannot be granted relief under any circumstances.

8. Not only this, it may be noticed that the compensation which was paid to the petitioner was sent to his house by way of a registered post, which the petitioner refused to accept at that time. These facts clearly show that the respondents-corporation was not at fault and rather the petitioner,



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who had resigned from the services had a second thought to get the benefit of reinstatement in service alongwith consequential benefits. .

9. Hence, keeping in view the totality of the facts and circumstances of the present case, no ground is made out for any interference by this Court, qua the impugned order, hence, the present petition is dismissed.

10. Pending civil miscellaneous application, if any, stands disposed of.

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

**26.03.2025**

*Riya*

*Whether speaking/reasoned: Yes/No*

*Whether Reportable: Yes/No*