



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

112

CWP-14201-2025 (O&M)  
Decided on :03.07.2025

SAHIB PESTICIDE

. .Petitioner

Versus

PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, BATHINDA AND  
OTHER

. . . Respondents

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

PRESENT: Mr. Kanwardeep Singh, 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 04.09.2023 (Annexure P-1), by which, the termination of the services of the respondent-workman by the petitioner-company has been held to be bad and a direction has been issued to the petitioner to pay a compensation of Rs. 1 lakh to the respondent-workman as a full and final settlement.

2. Learned counsel for the petitioner-company argues that the impugned award has been passed by the labour Court by treating the respondent as a workman whereas the respondent was working as a sale representative with the petitioner-company.

3. Learned counsel for the petitioner further submits that a sale representative cannot be treated as a workman and the said fact has been ignored by the labour Court while granting the compensation to the respondent-workman.

4. I have heard learned counsel for the petitioner and have gone



through the case file with his able assistance.

5. The said issue was raised before the labour Court also that as whether the respondent is to be treated as a workman or not. Keeping in view the evidence brought on record before the labour Court, the findings have been recorded by the labour Court that the workman was working under the supervision of the other authority and he was selling the products of the petitioner-company by going from door to door and was collecting the money by selling the products. Once, the respondent-workman was selling the products of the petitioner-company and was collecting the money, it cannot be said that the job being performed by the respondent-workman was supervisory in nature so as to exclude him from the definition of the 'workman'. The findings which have been recorded by the labour Court are in-consonance with the facts and evidence which have come on record.

6. Even otherwise, the Award dated 04.09.2023 (Annexure P-1) of the Labour Court can only be interfered in case the same is perverse to the facts or law. In the present case, no perversity has been shown to this Court with the impugned Award that the same is contrary to the facts or the settled principle of law.

7. No ground is made out for any interference by this Court in the facts and circumstances of the present case.

8. Accordingly, the writ petition is dismissed.

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

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

**03.07.2025**

*Riya*

*Whether speaking/reasoned: Yes/No*

*Whether Reportable: Yes/No*