

(2024) 02 RAJ CK 0121

Rajasthan High Court

Case No: Civil Writ Petition No. 4957 Of 2019

Shyam Singh

APPELLANT

Vs

Managing Director And Others

RESPONDENT

Date of Decision: Feb. 23, 2024

Hon'ble Judges: Dinesh Mehta, J

Bench: Single Bench

Advocate: Gaurav Thanvi

Final Decision: Allowed

Judgement

Dinesh Mehta, J

1. By way of the present writ petition, the petitioner has challenged the order dated 20.09.2016 and award dated 21.02.2017 passed by the learned Industrial Tribunal, Bhilwara (hereinafter referred to as 'the Labour Court').
2. Leaned counsel for the petitioner submitted that the Labour Court has not properly appreciated the evidence and has decided the reference against the petitioner solely on the ground of delay and laches.
3. A perusal of the award dated 20.09.2016 unravels that the petitioner was removed from service on 30.12.1992, whereafter a reference came to be made as late as on 29.10.2014. While dealing with the evidence, the Labour Court rejected petitioner's claim, inter-alia, observing that the dispute was raised belatedly while also holding that despite host of notices issued to the petitioner by the disciplinary authority, he did not turn up.
4. It is to be noted that even the present writ petition which lays challenge to the award dated 20.09.2016 and 21.02.2017, came to be filed after a delay of about 3 years on 01.04.2019 and the petitioner has thereafter not persued the writ petition and the matter has come up for consideration for the first time.
5. This Court does not find any reason to interfere in both the judgment dated 20.09.2016 and award dated 21.02.2017, in which the Labour Court has rejected the claim on the ground of delay while affirming the finding that the respondent - Corporation has followed due procedure and in spite of notice given to him, the petitioner did not turn up.
6. The writ petition, therefore, fails.