

(2001) 02 P&H CK 0151

High Court Of Punjab And Haryana At Chandigarh

Case No: Civil Writ Petition No. 2593 of 2000

Food Corporation of India

APPELLANT

Vs

Presiding Officer, Central Govt.
Industrial Tribunal-cum-Labour
Court, Chandigarh

RESPONDENT

Date of Decision: Feb. 22, 2001

Acts Referred:

- Industrial Disputes (Central) Rules, 1957 - Rule 15

Hon'ble Judges: S.S. Sudhalkar, J

Bench: Single Bench

Advocate: Mr. Hemant Kumar and Mr. Munish Singhal, for the Appellant;

Final Decision: Allowed

Judgement

@JUDGMENTTAG-ORDER

S.S. Sudhalkar, J.

This Judgment will dispose of Civil Writ Petition Nos. 2593, 2594, 2595, 2996 of 2000. The facts of these writ petitions being same, they are heard together and are disposed of by this common judgment.

2. All these writ petitions are filed by the employer, challenging the order(s) dated 16.11.99 (copy Annexure P/5) passed by the Labour Court in each of the cases, vide which the prayer for producing additional evidence after the workman's evidence was closed, was rejected.

3. Counsel for the petitioner states that all what the petitioners wanted to produce are the documents (i) photocopy of the cheque given to the workman as retrenchment compensation and one month's pay; (ii) postal acknowledgement receipt of the registered A.D. sent to the workman; (iii) copy of the judgment in the case of another workman titled Bimla Devi v. FCI, and (iv) Notification circular issued

by petitioner-FCI dated 6.8.1987.

4. After hearing the learned counsel for the petitioner, I find that no prejudice would be caused to the case of respondents-workmen if the petitioner-employer is allowed to produce these documents. Even Rule 15 of the Industrial Disputes (Central) Rules, 1957 permits such production, which reads a sunder :-

"15. Evidence:

A Board, Court, Labour Court, Tribunal or National Tribunal or an Arbitrator may accept, admit or call for evidence at any stage of the proceedings before it/him and such manner as it/he may think it"

5. It may also be noticed that the impugned orders are of the year 1999 and the case is lingering on till date only because of these technical objections.

6. In view of this reason, I find that these writ petitions can be allowed, however, subject to payment of costs.

7. As a result, these writ petitions are allowed subject to payment of costs of Rs. 1000/- to be paid to the respondent-workman in each case. The petitioner is allowed to produce the documents mentioned above, before the Labour Court.

8. Petition allowed