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राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शुक्रवार, 23 जनवरी, 2026/03 माघ, 1947

हिमाचल प्रदेश सरकार

LABOUR EMPLOYMENT & OVERSEAS PLACEMENT DEPARTMENT

NOTIFICATION

Shimla-171 002, the 19th December, 2025

No. LEP-E/1/2024.—In exercise of the powers vested under section 17 (1) of the Industrial Disputes Act, 1947, the Governor, Himachal Pradesh is pleased to order the publication of awards of the following cases announced by the Presiding Judge, Labour Court-cum-Industrial Tribunal,
233—राजपत्र / 2025—23—01—2026 (10623)

Shimla, H.P. on the website of the Printing & Stationery Department, Himachal Pradesh *i.e.* “e-Gazette”:—

Sl. No.	Case No.	Petitioner	Respondent	Section	Date of Award/ Orders
1.	Ref.113/24	Narayan Dass	Regional Manager, HRTC, Nahan.	10	3-11-2025
2.	Ref.32/25	Prianka Devi	M/s Jupiter Adm. & Security (P) Ltd.	10	04-11-2025
3.	Ref.65/2019	Vijay Singh	M/s Hindustan Uniliver Ltd.	10	10-11-2025
4.	App.264/2023	Praveen Kumar	The D.F.O. Nahan & Anr.	2A	12-11-2025
5.	Ref.55/2023	Guddo Devi	M/s Captab Biotech	10	26-11-2025
6.	Ref.56/2023	Nanhi Devi	M/s Captab Biotech	10	26-11-2025
7.	Ref.57/2023	Rajni	M/s Captab Biotech	10	26-11-2025
8.	Ref.73/2023	Poonam	M/s Captab Biotech	10	26-11-2025
9.	Ref.49/2025	Santosh Devi	M/s Reliance Retail Ltd.	10	29-11-2025
10.	Ref.190/2017	Ashok Kumar	Principal Secy. Health & Anr.	10	29-11-2025

By order,

PRIYANKA BASU INGTY, IAS,
Secretary (Lab. Emp. & O.P.).

**BEFORE ANUJA SOOD, PRESIDING JUDGE, H.P. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, SHIMLA**

Reference Number : 113 of 2024

Instituted on : 18-10-2024

Decided on : 03-11-2025

Narayan Dass s/o Late Sh. Chura Ram, r/o Village Kayana, P.O. Banah Ki Ser, Tehsil Pachhad, District Sirmaur, H.P. *..Petitioner.*

VERSUS

The Regional Manager, Himachal Road Transport Corporation Nahan, District Sirmaur, H.P. *..Respondent.*

Reference under Section 10 of the Industrial Disputes Act, 1947.

For the Petitioner : Nemo

For the Respondent : Sh. M.S. Kanwar, Adv.

AWARD

The reference given below has been received from the appropriate Government for adjudication:—

“Whether the demand raised by worker Sh. Narayan Dass s/o Late Sh. Chura Ram, r/o Village Kayana, P.O. Banah Ki Ser, Tehsil Pachhad, District Sirmaur (HP) before the Regional Manager, Himachal Road Transport Corporation Nahan, District Sirmaur, H.P., for his reinstatement in the service on the post of Tyre Helper, is proper and justified? If yes, what relief and consequential service benefits the above aggrieved workman is entitled to from the above management? and If not, its effects?”

2. The case was listed for filing of statement of claim of the parties but, neither the petitioner nor his counsel had put in appearance before this Tribunal, despite the case being called several times since morning. Hence, despite due notice of the date of hearing, the workman/petitioner had remained *ex parte*.

3. It will be apt at this stage to take note of the relevant provisions of the Industrial Disputes Act, 1947 (hereinafter referred to as ‘the Act’ for brevity sake). Section 2 (b) of the Act defines the Award as under:—

“(b) ‘award’ means an interim or a final determination of any industrial dispute or of any question relating thereto by any Labour Court, Industrial Tribunal or National Industrial Tribunal and includes an arbitration award made under Section 10A;”

4. Sub-section (1) of Section 11 of the Act provides that subject to any rules that may be made in this behalf, an arbitrator, a Board, Court, Labour Court, Tribunal or National Tribunal shall follow such procedure as the arbitrator or other authority concerned may think it fit. The Central Government has framed rules called “The Industrial Disputes (Central) Rules, 1957.” Rule 10-B (9) reads thus:—

“10-B (9) In case any party defaults or fails to appear at any stage the Labour Court, Tribunal, or National Tribunal, as the case may be, may proceed with the reference ex-parte and decide the reference application in the absence of the defaulting party.”

5. Rule 22 reads thus:—

“Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed ex-parte.— If without sufficient cause being shown, any party to the proceeding before a Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator fails to attend or to be represented, the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed, as if the party had duly attended or had been represented.”

6. The State of Himachal Pradesh has also framed rules called “The Industrial Disputes Rules, 1974.” Rule 25 thereof reads thus:—

“Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed ex-parte.— If without sufficient cause being shown, any party to the proceeding before a Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator fails to attend or to be represented, the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed, as if the party had duly attended or had been represented.”

7. Rule 22 of the Industrial Disputes (Central) Rules, 1957 and Rule 25 of the Industrial Disputes Rules, 1974 authorize the adjudicating authority to proceed in the absence of a party. It

creates a fiction which enables the Tribunal to presume that all the parties are present before it although, infact, it is not true, and thus make an *ex parte* award. This Tribunal in these circumstances has to imagine that the absentee workman is present and having done so, can give full effect to its imagination and carry it to its logical end. Under Rule 25, this Tribunal, thus, has to imagine that the workman is present, he is unwilling to file the statement of claim, adduce evidence or argue his case.

8. In the instant case, neither the workman nor his counsel has put in appearance before this Tribunal today. In these circumstances, the Tribunal can proceed and pass *ex parte* award on its merits.

9. As per the reference, it was required of the petitioner to plead and prove on record that the demand raised by worker before the Regional Manager, Himachal Road Transport Corporation, Nahan, District Sirmaur, H.P. for his reinstated in the service on the post of Tyre Helper is illegal and unjustified, however, there is neither any pleading nor any evidence to this effect on record on the part of the petitioner/workman. Since, there is neither any pleading nor any evidence to this effect on record on the part of the petitioner that he is entitled to any benefits and relief as claimed in demand from the respondent management, it cannot be held that the demand raised by the petitioner is genuine and justified. At the risk of repetition it is reiterated that the petitioner/workman has not put in appearance before this Tribunal. In this view of the matter, the petitioner is not entitled to any relief. Accordingly, this reference is answered in the negative. Parties to bear their own costs.

10. The reference is answered in the aforesaid terms.

11. A copy of this Award be sent to the appropriate Government for necessary action at its end and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 03rd day of November, 2025.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Labour Court-cum-Industrial Tribunal,
Shimla, H.P.

**IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE,
H.P. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, SHIMLA**

Reference Number : 32 of 2025
Instituted on : 20-05-2025
Decided on : 04-11-2025

Prianka Devi w/o Sh. Painter Dharikay, r/o Village and Postoffice Khera, Tehsil Nalagarh,
District Solan, H.P. ..*Petitioner.*

VERSUS

The Branch Manager, M/S Jupiter Administrative and Security (P) Ltd., Head Office
B-112, Lajpat Nagar-I, New Delhi- 110024 ..Respondent.

Reference under Section 10 of the Industrial Disputes Act, 1947

For the Petitioner : Nemo

For the Respondent : Sh. Virender Chauhan, Adv.

AWARD

The reference given below has been received from the appropriate Government for adjudication:—

“Whether the demand of Smt. Prianka Devi w/o Sh. Painter Dharikay, r/o Village and Post Office Khera, Tehsil Nalagarh, District Solan, H.P. for her reinstatement in service before the management of M/S Jupiter Administrative and Security (P) Ltd. Head Office B-112, Lajpat Nagar-I, New Delhi-110024, is proper and justified? If yes, what relief the above aggrieved workswoman is entitled to from the above management? and If not, its effect?”

2. The case was listed for appearance of the parties for today but, however, neither the petitioner nor her counsel had put in appearance before this Tribunal, despite the case being called several times since morning. Hence, despite due notice of the date of hearing, the workman/petitioner had remained *ex parte*.

3. It will be apt at this stage to take note of the relevant provisions of the Industrial Disputes Act, 1947 (hereinafter referred to as ‘the Act’ for brevity sake). Section 2 (b) of the Act defines the Award as under:—

“(b) “award” means an interim or a final determination of any industrial dispute or of any question relating thereto by any Labour Court, Industrial Tribunal or National Industrial Tribunal and includes an arbitration award made under Section 10A;”

4. Sub-section (1) of Section 11 of the Act provides that subject to any rules that may be made in this behalf, an arbitrator, a Board, Court, Labour Court, Tribunal or National Tribunal shall follow such procedure as the arbitrator or other authority concerned may think it fit. The Central Government has framed rules called “The Industrial Disputes (Central) Rules, 1957.” Rule 10-B (9) reads thus:—

“10-B (9) In case any party defaults or fails to appear at any stage the Labour Court, Tribunal, or National Tribunal, as the case may be, may proceed with the reference ex-parte and decide the reference application in the absence of the defaulting party.”

5. Rule 22 reads thus:—

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6. The State of Himachal Pradesh has also framed rules called “The Industrial Disputes Rules, 1974.” Rule 25 thereof reads thus:—

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7. Rule 22 of the Industrial Disputes (Central) Rules, 1957 and Rule 25 of the Industrial Disputes Rules, 1974 authorize the adjudicating authority to proceed in the absence of a party. It creates a fiction which enables the Tribunal to presume that all the parties are present before it although, in fact, it is not true, and thus make an *ex parte* award. This Tribunal in these circumstances has to imagine that the absentee workman is present and having done so, can give full effect to its imagination and carry it to its logical end. Under Rule 25, this Tribunal, thus, has to imagine that the workman is present, she is unwilling to file the statement of claim, adduce evidence or argue her case.

8. In the instant case, neither the workman nor her counsel has put in appearance before this Tribunal today. In these circumstances, the Tribunal can proceed and pass *ex parte* award on its merits.

9. As per the reference, it was required of the petitioner to plead and prove on record that the demand raised by worker before the management of M/S Jupiter Administrative and Security (P) Ltd. for her reinstatement in service is proper and justified, however, there is neither any pleading nor any evidence to this effect on record on the part of the petitioner/ workman. Since, there is neither any pleading nor any evidence to this effect on record on the part of the petitioner that she is entitled to any benefits and relief as claimed in demand from the respondent management, it cannot be held that the demand raised by the petitioner is genuine and justified. At the risk of repetition it is reiterated that the petitioner/workman has not put in appearance before this Tribunal. In this view of the matter, the petitioner is not entitled to any relief. Accordingly, this reference is answered in the negative. Parties to bear their own costs.

10. The reference is answered in the aforesaid terms.

11. A copy of this Award be sent to the appropriate Government for necessary action at its end and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 4th day of November, 2025.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Labour Court-cum-Industrial Tribunal,
Shimla, H.P.

**IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE,
H.P. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, SHIMLA**

Reference No : 65 of 2019

Instituted on : 22-03-2019

Decided on : 10-11-2025

Vijay Singh s/o Late Sh. Jeet Singh, Village Neeyal, P.O. Harnota, Tehsil Jawali, District Kangra, H.P. ..Petitioner.

VERSUS

The Factory Manager, M/s Hindustan Unilever Limited, Khasra No. 94-96, 355-409, Village Balyana, Tehsil Baddi, District Solan, H.P. ..Respondent.

Reference under Section 10 of the Industrial Disputes Act, 1947

For the petitioner : Shri R.K. Khidta, Advocate

For the respondent : Shri Mukul Sood, Advocate

AWARD

The following reference was received for adjudication from the appropriate Government:—

“Whether termination of the services of Sh. Vijay Singh, s/o Late Sh. Jeet Singh, Village Neeyal, P.O. Harnota, Tehsil Jawali, District Kangra, H.P. by the The Factory Manager, M/s Hindustan Unilever Limited, Khasra No. 94-96, 355-409, Village Balyana, Tehsil Baddi, District Solan (H.P.) w.e.f. 06.12.2017, without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what relief including reinstatement, amount of back wages, seniority, past service benefits and compensation, the above ex-worker is entitled to from the above employers/ management?”

2. The facts as emerges from the statement of claim are that the petitioner was appointed as assistant technician by respondent company on 31-07-2005 and worked as such till 06-12-2017 continuously and thereafter the services of the petitioner have been terminated w.e.f. 06-12-2017 on false allegations and without complying with the mandatory provisions of Industrial Disputes Act, 1947 (hereinafter to be referred as the Act). It is averred that the work and conduct of the petitioner always remained upto the mark of concerned officials of the company as number of attendance award and promotions/increments were given to the petitioner by the respondent for his service and advices to the company. There exists a worker union working with the respondent company in the name of Hindustan Unilever Ltd., Workers Union, Barotiwala registration no. 1196 and petitioner is the member of the union. Respondent company issued show cause notice and thereafter served chargesheet dated 22.02.2017 upon the petitioner wherein the entire allegations levelled against the petitioner are totally false and without any bases. The petitioner replied chargesheet and show cause notice by denying the charges. The Worker union had filed the demand notices dated 26.01.2017 and 31.10.2017 regarding which Reference no. 68 of 2019 and Reference no. 167 of 2018 are pending before this Court and just to create pressure upon the workers union and to compromise the matter regarding long term settlement and other issues, the company had levelled false allegations against the petitioner and other workers. The enquiry officer was appointed by the respondent company who has not conducted the enquiry fairly. Proper opportunity to defend the case was not given to the petitioner and principles of natural justice were also not followed by the enquiry officer. The enquiry officer has not considered the defence of the petitioner and totally ignored all the submissions of the petitioner which is clear from the enquiry report. The enquiry officer did not explain anything to the petitioner about the procedure to be adopted during the enquiry proceedings. The enquiry proceedings were written by enquiry officer as per his choice and as per the directions of the respondent. Though, the petitioner participated in the enquiry but he was

not allowed to submit his defence in proper manner. The enquiry officer did not choose to write the exact words of the witnesses. The required documents were also not supplied to the petitioner by the enquiry officer nor any defence assistant was allowed to the petitioner thus, the report of the enquiry officer is just eyewash and same deserves to be ignored. From the perusal of reference no. 68 of 2018 and reference no. 167 of 2017 and the charges levelled against the petitioner, it is clear that the respondent company could not dismiss the services of the petitioner without taking any approval/permission from this Court as such the action of the respondent company is totally illegal. The termination of the petitioner in the aforesaid manner tantamounts to unfair labour practice of which the petitioner is victim. It is claimed that the petitioner is unemployed since 06.12.2017 and is nowhere gainfully employed as such the respondent company is bound to pay full salary to the petitioner *w.e.f.* 06.12.2017 till his re-engagement. The petitioner had filed the demand notice before the Labour-cum-Conciliation Officer, Solan, who summoned the respondent company but due to adamant attitude of the respondent, the conciliation proceedings failed and the present reference was sent to this Court. Through this claim petition the petitioner has not only prayed for reinstatement in service with seniority and continuity along-with full back-wages but he has also prayed for damages to the tune of Rs. Five lakhs. The claim is duly supported with an affidavit of the petitioner.

3. Notice of this claim was sent to the respondent company, in pursuance thereof, respondent contested the claim by filing reply wherein preliminary objections have been taken that the petitioner was absent from his duty since 11.12.2016 as such the chargesheet was issued on 22.02.2017 for committing an act of misconduct which was serious in nature as per the Standing Orders applicable to the respondent company and explanation of the petitioner was called, chargesheet was served on the petitioner in person. Respondent received written reply from the petitioner on 23.02.2017 which was not found satisfactory as such an enquiry in the matter was conducted by an independent, unbiased and impartial person. The petitioner was habitual absentee who remained absent without any authorization, which is a serious misconduct and the petitioner was dismissed from service *vide* order dated 06.12.2017 after the enquiry report was submitted by the enquiry officer. On merits, it was not disputed that the petitioner was appointed as assistant technician by the respondent company by virtue of appointment letter dated 31.07.2005 and he was dismissed from service *vide* letter dated 06.12.2017 on account of excessive number of unauthorized absences after conducting fair and impartial domestic enquiry from an independent person. It was averred that despite letters, the petitioner had not reported for work. Notice of enquiry was served upon the petitioner and fair enquiry had been conducted in the matter. Time and again management had taken lenient view despite the fact that the petitioner committed violations of Standing Orders at multiple occasions but despite that he did not mend his way. It is averred that the petitioner was given numerous opportunities on 18.04.2017, 28.04.2017, 13.06.2017, 22.06.2017, 20.07.2017 and 22.07.2017 to put his defence by way of cross-examining the management witnesses against petitioner in producing his documents, witnesses and of giving his own evidence. Petitioner is not a protected workman but is merely a member of the alleged union. The petitioner never submitted any medical record to the management despite being covered under ESI as he never visited any hospital under the aegis of ESI for check-up and prayed for the dismissal of the claim.

4. Petitioner filed rejoinder in which he denied the preliminary objections and reiterated the averments as made in the claim petition.

5. On the pleadings, this Court formulated the following issues on 15-11-2021.

1. Whether the termination of the services of petitioner *w.e.f.* 06.12.2017 without complying the provisions of Industrial Disputes Act, is illegal and unjustified? ..*OPP.*
2. If issue no. 1 is proved in affirmative, than what relief the petitioner is entitled? ..*OPP.*

3. Whether the claim is not maintainable in present form, as alleged? ..*OPR*.

4. Relief.

6. Thereafter, the parties to the lis were directed to adduce evidence in support of the issues so framed.

7. I have heard Ld. Counsel for the parties and also gone through the record of the case carefully.

8. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings thereon are as under:

Issue No. 1	:Yes
Issue No. 2	:Yes. Entitled for re-Instatement with seniority and continuity along-with full back wages.
Issue No. 3	: No
Relief	: Reference is answered in affirmative as per operative part of the Award.

REASONS FOR FINDINGS

ISSUES NO. 1 & 2

9. Being interlinked and correlated both these issues are taken up together for discussion and decision.

10. The first and foremost contention raised by the petitioner is that the petitioner is member of workers union working in the respondent company under the name Hindustan Unilever Ltd., Workers Union having registration no. 1196 and the workers union had raised the demand notice dated 26.01.2017 and 30.10.2017 regarding which reference no. 68 of 2019 and 167 of 2018 are pending before this Court for adjudication, but just to create pressure on the workers of union, false allegations were levelled against the petitioner and he was chargesheeted and enquiry was conducted against him, thereafter his services were dismissed *vide* order dated 06.12.2017. The services of the petitioner were dismissed illegally. It is further the case of the petitioner that proper enquiry in the matter has not been conducted as neither the petitioner was allowed to engage a defence assistant nor any fair opportunity to defend himself was given to the petitioner nor the document as relied by the management were supplied to petitioner during the course of enquiry.

11. On the other hand, the respondent has not disputed this fact that the petitioner was member of workers union, but submitted that he is not a protected workman. However, while filing reply to para no.5 of the claim petition, the respondent has not categorically disputed this fact that the workers union had filed the demand notices dated 26.01.2017 and 0.10.2017 regarding which references no. 68 of 2019 and 167 of 2018 are pending before this Court. The claim of the respondent is that fair and proper enquiry had been conducted by the respondent management as the petitioner was habitual absentee who did not mend his ways despite lenient view and warnings issued by the management repeatedly as such his services have rightly been terminated by the respondent.

12. Now coming to the evidence which has been led by the petitioner in this case. The petitioner appeared in the witness box as PW-1 and led his evidence by way of affidavit Ex. PW-1/A, which is just a reproduction of the averments as made in the petition. He also tendered in evidence demand notice Mark PX-1, dismissal letter Ex. PW-1/B, certificate Ex. PW-1/C, demand charter Mark PX-2, references Mark PX-3 and Mark PX-4.

13. During cross-examination, the petitioner denied that he remained absent for 43 days in the year 2013 without any authorization, however, he admitted his signatures on counselling report Ex. RX-1. He admitted that letter dated 17.02.2015, notices dated 25.11.2015 and 01.12.2015 and show cause notice dated 14.12.2015 were served upon him. He further admitted that he filed reply dated 14.12.2015. He also admitted that warning letter dated 07.01.2016, letters dated 09.05.2016 and 23.05.2016 and show cause notice dated 22.06.2016 were also served on him. He denied that chargesheet dated 15.07.2016 was served on him. He admitted that Shri Sanjeev Sharma, Advocate was appointed as an enquiry officer, but self-stated that enquiry was not conducted in fair and proper manner. He admitted that he opted not to appoint any defence assistant. He further admitted that he filed an application Ex. RX-2. He also admitted that S/Shri Bakshi Ram, Deepak and Gagan were examined as defence witnesses. He also admitted his signatures on Ex. RX-3 and Ex. RX-4. He admitted that he had signed the enquiry proceedings.

14. This is the entire evidence led by the petitioner.

15. In rebuttal, the respondent has examined Shri Sanjeev Sharma, Enquiry Officer, as RW-1, who also led his evidence by way of affidavit Ex. RW-1/A, *vide* which he has deposed that he was appointed as an enquiry officer and he conducted the enquiry as per Certified Standing Orders and principles of natural justice. Day to day proceedings and statement of witnesses were supplied to the petitioner on the same date. The petitioner was given full opportunity to lead his defence and he submitted his enquiry report on the basis of documents supplied during the course of enquiry and oral evidence adduced by both the parties.

16. During cross-examination, he deposed that he had explained the procedure of enquiry to the petitioner on the very first day. He denied that he had not permitted the petitioner to engage defence assistant. He deposed that statement of the petitioner in this regard has been recorded *vide* Ex. RX-4. He denied that he had not granted opportunity of being heard to the petitioner. He admitted that letter Ex. PX was handed over to him by the petitioner during enquiry for adducing evidence. He denied that he had not permitted the petitioner to lead his evidence during enquiry. He admitted that it had come in the enquiry that petitioner, his wife and child were ill and had remained hospitalized. He deposed that he had conducted the enquiry on the chargesheet dated 22.02.2017.

17. Other witness examined by the respondent company, Shri Devesh Tomar, appeared into the witness box as RW-2 and deposed that he has been authorized by the company to give statement on its behalf *vide* authority letter Ex. RW-2/A. He also led his evidence by way of affidavit Ex. RW-2/B, which is just a reproduction of the averments as made in the reply. He also tendered in evidence documents Ex. RW-1/1 to Ex. RW-2/20.

18. During cross-examination, he deposed that he is not Factory Manager and Factory Manager is posted in the company and is still working. He admitted that he has not been authorized by Board of Directors to depose before this Court. He deposed that he has not filed reply in this case. He further deposed that he was engaged by the company on 18.09.2017 and admitted that petitioner never worked under him. He admitted that prior to chargesheet dated 22.02.2017 the petitioner had also been chargesheeted on 15.07.2016 *vide* Ex. PXY. He admitted that at the time of termination of the petitioner two references Ex. PX-3 and Ex. PX-4 were pending. He expressed his

ignorance that whether any permission or approval had been obtained from the Court by the company prior to termination of the petitioner or thereafter. He admitted that the certificate regarding best attendance award Ex. PW-1/C had been issued in favour of the petitioner by the company. Self stated that it is only a quarterly award.

19. This is the entire evidence led by the respondent.

20. Since, the main plea which has been taken by the petitioner is that his services have been dismissed without seeking any approval/permission as required under Section 33 of the Act, at this stage, it would be appropriate to refer the proviso of Section 33 of the Act which provides as under:—

“Conditions of service, etc., to remain unchanged under certain circumstances during pendency of proceedings.- (1) During the pendency of any conciliation proceeding before a conciliation officer or a Board or of any proceeding before 2*[an arbitrator or] a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall-

(a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceeding; or

(b) for any misconduct connected with the dispute, discharge or punish, whether by dismissal or otherwise, any workmen concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending.

(2) During the pendency of any such proceeding in respect of an industrial dispute, the employer may, in accordance with the standing orders applicable to a workman concerned in such dispute or, where there are no such standing orders, in accordance with the terms of the contract, whether express or implied, between him and the workman],--

(a) alter, in regard to any matter not connected with the dispute, the conditions of service applicable to that workman immediately before the commencement of such proceeding; or

(b) for any misconduct not connected with the dispute, or discharge or punish, whether by dismissal or otherwise, that workman:

Provided that no such workman shall be discharged or dismissed, unless he has been paid wages for one month and an application has been made by the employer to the authority before which the proceeding is pending for approval of the action taken by the employer.

(3) Notwithstanding.....

21. It is apparent from the record that the services of the petitioner were terminated/dismissed *vide* letter dated 06.12.2017 Ex. PW-1/B. In para no.3 of the claim the petitioner has averred that there exists a workers union working in the respondent company, in the name of Hindustan Unilever Ltd., workers union, Barotiwala having registration no. 1196 and petitioner is the member of the union. In reply to this para the respondent has submitted that the petitioner is not a protected workman and was only the member of this union. Thus, from the

pleadings, it is clear that the respondent has not disputed this fact that the petitioner is member of workers union working in the respondent company. Now, coming to para 5 of the claim wherein the petitioner has averred that workers union had raised the demand notices dated 26.01.2017 and 30.10.2017 regarding which references nos. 68 of 2019 and 167 of 2018 were pending before this Court and just to create the pressure upon the workers union and to compromise the matter regarding the long term settlement and other issues, the company has levelled false allegations against the petitioner and other workers. To this para the respondent has submitted the following reply.

“The contents of para no.5 of the petition are false, baseless and devoid of any truth or merit whatsoever. It could be clearly seen from the sequence of events mentioned above that the workman was in a habit of absenting himself without any prior information and authorization. It is also amply clear that the management has time and again taken a lenient stand despite the fact the workman was in violation of the Standing Orders at multiple occasions. The accusation of malice made by the workman is not only arbitrary but devoid of any truth or substance whatsoever.”

Thus, from the reply it is clear that the respondent has not categorically denied that the workers union had raised the demand notices dated 26.01.2017 and 30.10.2017 regarding which references nos. 68 of 2019 and 167 of 2018 were pending before this Court. Even, the witness of respondent company RW-2 has admitted in the cross-examination that at the time of dismissal of the petitioner two references Ex. PX-3 and Ex. PX-4 were pending. This witness could not state that whether any approval was obtained by the company before dismissing the petitioner or thereafter. Thus, it is clear from the pleadings of the parties as well as evidence on record coupled with demand notice Mark PX-1, demand charter Mark PX-2 that demand notices were raised by the workers union and from notifications Ex. PX-3 and Ex. PX-4, it stands established that the demand notice and charter of demand was sent by the appropriate Government to this Court for adjudication which admittedly are pending. The services of the petitioner were dismissed by the respondent without taking prior permission/approval from the concerned authority/Court as provided under Section 33 of the Act.

22. Ld. Counsel for the respondent had placed reliance on judgment in **Jaipur Zila Sahakari Bhoomi Vikas Bank Ltd., Vs. Ram Gopal Sharma (2002) 2 SCC 244** and on the strength of this authority had contended that dismissal without seeking approval under Section 33(2)b during the pendency of another dispute is void ab initio, but this applies if such a dispute was already pending. Coming to the case in hand, the petitioner has established on record that the dispute was pending, demand notice was already raised by the workers union of which the petitioner was member as such the dismissal of the petitioner without compliance of provisions of Section 33 is illegal. The relevant paras of this judgment are reproduced as under:—

“6. Answer to the question on which conflicting decisions are rendered, as noticed above, depends on a fair reading and proper interpretation of Section 33(2)(b) of the Act. Prior to the amendment of 1956, provision contained in Section 33 corresponded to the present Section 33(1) only. The object behind enacting Section 33, as it stood before it was amended in 1956, was to allow continuance of industrial proceedings pending before any authority/court/tribunal prescribed by the Act in a peaceful atmosphere undisturbed by any other industrial dispute. In course of time, it was felt that unamended Section 33 was too stringent for it placed a total ban on the right of the employer to make any alteration in conditions of service or to make any order of discharge or dismissal even in cases where such alteration in conditions of service or passing of an order of dismissal or discharge, was not in any manner connected with

the dispute pending before an industrial authority. It appears, therefore, that [Section 33](#) was amended in 1956 permitting the employer to make changes in conditions of service or to discharge or dismiss an employee in relation to matters not connected with the pending industrial dispute. At the same time, it seems to have been felt that there was need to provide some safeguards for a workman who may be discharged or dismissed during the pendency of a dispute on account of some matter unconnected with the dispute.

7.....

13. The proviso to Section 33(2)(b), as can be seen from its very unambiguous and clear language, is mandatory. This apart, from the object of Section 33 and in the context of the proviso to Section 33(2)(b), it is obvious that the conditions contained in the said proviso are to be essentially complied with. Further any employer who contravenes the provisions of Section 33 invites a punishment under S.31(1) with imprisonment for a term which may extend to six months or with fine which may extend to Rs.1000/- or with both. This penal provision is again a pointer of the mandatory nature of the proviso to comply with the conditions stated therein. To put it in other way, the said conditions being mandatory, are to be satisfied if an order of discharge or dismissal passed under Section 33(2)(b) is to be operative. If an employer desires to take benefit of the said provision for passing an order of discharge or dismissal of an employee, he has also to take the burden of discharging the statutory obligation placed on him in the said proviso. Taking a contrary view that an order of discharge or dismissal passed by an employer in contravention of the mandatory conditions contained in the proviso does not render such an order inoperative or void, defeats the very purpose of the proviso and it becomes meaningless. It is well-settled rule of interpretation that no part of statute shall be construed as unnecessary or superfluous. The proviso cannot be diluted or disobeyed by an employer. He cannot disobey the mandatory provision and then say that the order of discharge or dismissal made in contravention of Section 33(2)(b) is not void or inoperative. He cannot be permitted to take advantage of his own wrong. The interpretation of statute must be such that it should advance the legislative intent and serve the purpose for which it is made rather than to frustrate it. The proviso to Section 33(2)(b) affords protection to a workman to safeguard his interest and it is a shield against victimization and unfair Labour practice by the employer during the pendency of industrial dispute when the relationship between them are already strained. An employer cannot be permitted to use the provision of Section 33(2)(b) to ease out a workman without complying with the conditions contained in the said proviso for any alleged misconduct said to be unconnected with the already pending industrial dispute. The protection afforded to a workman under the said provision cannot be taken away. If it is to be held that an order of discharge or dismissal passed by the employer without complying with the requirements of the said provision is not void or inoperative, the employer may with impunity discharge or dismiss a workman.”

23. In case reported in **2007 SC 3071 incase titled as united bank of India Vs. Siharth Chokborty** it was held by the Hon’ble Supreme Court that the provisions of section 33 2 (b) are mandatory and non compliance thereof is sufficient to refuse approval and the worker is entitled to reinstatement.

24. The ratio of the aforesaid decisions on application to the facts of this case make it clear that once the dispute was pending before this Tribunal with regard to demands of the workers, the respondent company was not competent to dismiss the petitioners from service without the

permission of competent authority/Tribunal. The orders dismissing the services of petitioners are void as held in **AIR 2007 SC 3071** (supra). The respondent is entitled to be reinstated in service.

25. Ld. Counsel for the petitioner has placed reliance on the judgment in case titled as Punjab Beverages Pvt. Ltd. Vs. Suresh Chand (1978) 2 SCC 144 and on the strength of this authority it was argued by him that if no industrial dispute was pending at the time of dismissal, there can be no question of contravention of Section 33 of the Act, but, coming to the case in hand, the demand notices had been raised by the workers much before the dismissal of the petitioner by the respondent company which were pending and on these demand notices references were sent to this Court by the appropriate Government for adjudication, thus, the ratio of this authority is not applicable to the facts in hand.

26. Reliance was also placed on judgments **Loard Krishna Textile Mills Vs. Its Workmen AIR 1961 SC 860, Martin Burn Ltd. Vs. R.N Banerjee AIR 1958 SC 79 and Bangalore Woolen Cotton & Silk Mills Co. Ltd. Vs. Dasappa AIR 1960 SC 1352** but the aforesaid judgments are distinguishable on facts as in all these cases the application for approval had been moved by the concerned respondent/company but coming to the case in hand, the respondent company never applied for approval either before the competent authority or before this Tribunal before dismissing the services of the petitioner as such the ratio of these judgments cannot be applied in the case in hand.

27. Thus, it is evident that the services of the petitioners by way of dismissal without permission of competent authority/ Tribunal is in violation of Section 33 of the Act as such the petitioner is entitled for re-instatement in the services. Accordingly, the dismissal orders issued to the petitioners are hereby set aside and quashed.

28. Though, the respondent has led evidence that a fair and proper enquiry has been conducted against the petitioner and judgments i.e **(2012) 3 SCC 609 titled as Krushnakant B. Parmar Vs. Union of India, (1977) 2 SCC 491 titled as State of Haryana Vs. Rattan Singh, (2005) 3 SCC 401 case titled as M.P Electricity Board Vs. Jagdish Chandra Sharma and W.P (C) 10360/2016 case titled as DTC Vs. Mahender Singh**, were supplied in support of this plea that the enquiry was fair and proper but since this Court/Tribunal has come to the conclusion that there is violation of Section 33 of the Act and before dismissing the petitioner from service no approval/permission was taken from any authority, as such this Court/Tribunal has not discussed the legality of enquiry as it would not solve any purpose.

29. Now, the last question which has been raised by the petitioner through this claim petition is that he is not only entitled for reinstatement with seniority and continuity but also for back-wages. The petitioner in his statement of claim as well as by way of affidavit Ex. PW-1/A has averred that he is unemployed since the date of his dismissal. It is settled that the entitlement of any employee to get re-instated does not necessarily and mechanically result in payment of full or partial back-wages which is independent of re-instatement and host of factors like the manner and method of selection and appointment, nature of appointment whether ad-hoc, short term, daily wage, temporary and permanent in character and length of service, which the workman had rendered with the employer, are required to be taken into consideration before passing any order for award of back-wages. This position was reiterated in **Kanpur Electricity Supply C. Ltd. Vs. Shamim Mirza (2009) 1 SCC 20** as well as in **Ritu Marbles Vs. Prabhakant Shukla (2010) 2 SCC 70**.

30. In the case in hand the petitioner has shown that he was not gainfully employed anywhere. In **Kendriya Vidyalaya Sangathan Versus S.C. Sharma (2005) SCC 363**, the Hon'ble Apex Court held that in question of determining the entitlement of a person to back wages, the

employee has to show that he/she was not gainfully employed. The initial burden is on the employee to prove that. The Hon'ble Apex Court in **National Gandhi Musuem Vs. Sudhir Sharma (2-21) 12 SCC 439** has considered this aspect and held as under:—

“Whether an employee after dismissal from service was gainfully employed is something, which is within his special knowledge. Considering the principle incorporated in Section 106 of the Indian Evidence Act, the initial burden is on the employee to come out with the case that he was not gainfully employed after the order of termination. It is a negative burden, however, in what manner the employee can discharge the said burden will depend upon peculiar facts and circumstances of each case. It all depends on the pleadings and evidence on record. Since it is a negative burden, in a given case, an assertion on oath by the employee that he was unemployed, may be sufficient compliance in the absence of any positive material brought on record by the employer.”

31. Coming to the case in hand, it stands established that the petitioner was engaged as Assistant Technician by the respondent on 31.07.2005 and he worked up till 06.12.2017, when his services were illegally dismissed by the respondent during the pendency of dispute. Petitioner has worked about eleven years with the respondent continuously as such in view of the continuous service which has been rendered by the petitioner with the respondent and in view of the fact that petitioner has discharged the initial burden put on him to show that he is not gainfully employed anywhere and this burden has not been rebutted by the respondent it stands established on record that the petitioner is not gainfully employed after his dismissal as such he is also entitled to full back-wages.

32. Keeping view the aforesaid discussion, the petitioner is held entitled for reinstatement with seniority and continuity along-with full back-wages. The dismissal letter dated 06.12.2017 is hereby set aside and quashed. Both the issues are decided in favour of the petitioner and against the respondent.

ISSUE NO. 3

33. Now coming to issue no. 2, there is nothing on record that as to how this claim petition is not maintainable. The present claim has been filed in pursuance to the reference which has been sent to this Court by the appropriate Government for adjudication and the same is maintainable before this Court, hence, issue no. 2 decided against the respondent.

RELIEF.

34. In view of my aforesaid discussion, the claim filed by the petitioner succeeds and is hereby allowed. The respondent company is directed to re-engage the petitioner in service forth-with with seniority and continuity along-with full back-wages. The payment of back-wages shall be payable within a period of two months from the date of announcement of this award failing which the same shall carry interest @ 9% per annum. The reference is answered in the aforesaid terms.

35. Let a copy of this award be communicated to the appropriate Government for publication in the official gazette. The file after due completion be tagged with the main case file.

Announced in the open Court today on this 10th Day of November, 2025.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Labour Court-cum-Industrial Tribunal ,
Shimla, H.P.

**IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE
H.P. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, SHIMLA.**

Application No : 264 of 2023

Instituted on : 30-12-2023

Decided on : 12-11-2025

Praveen Kumar, s/o Sh. Shiv Charan, r/o Village Dhanaura, P.O. Dayalgarh, Tehsil Bilaspur, District Yamunanagar (Haryana). ..Petitioner.

VERSUS

1. The Divisional Forest Officer, Forest Division Nahan at Nahan, District Sirmour, H.P.
2. Range Officer, Kollar, Forest Division Nahan, District Sirmour, H.P. ..Respondents.

Claim petition under Section 2-A of the Industrial Disputes Act, 1947.

For the petitioner : Sh. R.K. Khidta, Advocate

For the respondents : Sh. Devender Chandel, DDA.

AWARD

The present claim petition has been filed by the petitioner directly before this Court under the Industrial Disputes Act, 1947 (hereinafter to be referred as the Act) to set aside the illegal oral termination dated 30.11.2021 passed by the respondent and further to reinstate the services of the petitioner with all consequential service benefits including full back-wages.

2. The case as set up by the petitioner in the statement of claim is that the petitioner was engaged as daily wages labourer/forest worker by the forest department in the month of October 2016 at Haripur Nursery under Beat Haripur, Forest Division Nahan and worked as such till 30.11.2021 continuously. Petitioner for grant of minimum time scale of pay on the principles of equal pay for equal work and also on the strength of judgment passed by the Hon'ble Apex Court in Civil Appeal no. 10659 of 2018, filed writ petition before the Hon'ble High Court against the respondent department, but during the pendency of writ petition, the services of the petitioner were terminated *w.e.f.* 01.12.2021 and due to that reason the petitioner was compelled to withdraw his writ petition from the Hon'ble High Court. The petitioner has already completed 240 days in each calendar year and his services were terminated without following the mandatory provisions of Sections 25-F, 25-G, 25-H and 25-N of the Act. The petitioner while working in Haripur Nursery during Covid period had also discharged the duty of fire watcher as per office orders dated 13.04.2020 and 10.05.2021 passed by the respondent no.1. While terminating the services of the petitioner the respondent department has also violated the principles of last come first go as junior persons namely Rinku and Shiksha who are working under the same division till date have been retained whereas the services of the petitioner have been terminated illegally. Petitioner has already worked for more than five years with the respondent department as such he is eligible for regularization of his services as per the policy of the state government, but instead of regularizing the services of the petitioner the respondent department had terminated him from service illegally which is also clear-cut violation of provisions of the Act. The work which the petitioner was performing since the year 2016 with the respondent department is still available. Petitioner is

unemployed since the date of his illegal termination and is meeting his day to days expenses by borrowing money from his close relative and friends. After oral termination of the services of the petitioner, he was forced to file the demand notice before the Labour-cum-Conciliation Officer where the respondent no.1 was summoned and conciliation took place. In reply filed by respondent no.1 before conciliation officer a false stand has been taken by respondent which was clarified by the petitioner in his rejoinder. Since, the period of forty-five days as provided under the Act to send the case of the workman to this Court stands already expired as such the petitioner has filed the present claim directly before this Court. Through this claim, the petitioner has prayed for reinstatement with continuity in service and full back-wages including regularization as he had completed seven years of service and his juniors have already been regularized by the department. The petitioner has also prayed for damages to the tune of Rs. Five lakhs and cost of litigation amounting to Rs. 50,000/-. The claim is duly supported with an affidavit of Sh. Praveen Kumar, petitioner.

3. Notice of this claim was sent to the respondent, in pursuance thereof, respondent contested the claim by filing reply whereby the respondent took preliminary objections of maintainability, petitioner has not approached this Court with clean hands and has suppressed material facts from the Court as well as claim is hopelessly redundant which deserves dismissal. On merits, it was specifically denied by the respondent that petitioner was engaged as forest worker on daily wage basis by the respondent department. It was submitted that the petitioner had applied for registration of contractors for forestry works in the office of respondent and he was registered as forest contractor under registration no. 10/k/2018. It was submitted that the petitioner had filed CWP No. 1417/2022 titled as Praveen Kumar Vs. State of HP & Others, which was withdrawn by the petitioner later on being devoid of merits. Respondent department started the work of raising nursery in Haripur, Kolar range and S/shri Geeta Ram, Suleman and petitioner submitted quotations for doing the same work during the year 2019-2020. Quotations were opened by Range Officer Kolar, who recommended the same for approval. The quotation of the petitioner was approved being lowest rates quoted by him. Petitioner was never engaged on daily wage basis in the department. The petitioner did the forestry works as a forest contractor for which he had claimed bills. It was further submitted that fire watcher are hired by the department during fire season every year on temporary basis as such the petitioner was hired as fire watcher during fire season 2020-21 on temporary basis. The petitioner was never engaged permanently as daily wager in the department and no office order has been issued to him. It was denied that the respondent has violated any mandatory provisions of the Act and prayed for the dismissal of the claim petition.

4. Rejoinder to the reply was filed by the petitioner in which he denied the preliminary objections and reiterated the averments as made in the petition.

5. On the pleadings, this Court formulated the following issues on 24-04-2024.

1. Whether the oral termination of services of the petitioner *w.e.f.* 21.11.2021 without complying with the provisions of the Industrial Dispute Act, 1947, is illegal and unjustified, as alleged? ..*OPP*.

2. If issue no. 1 is proved in the affirmative, to what relief of service benefits the petitioner is entitled to? ..*OPP*.

3. Whether the petition is not maintainable in the present form, as alleged? ..*OPR*.

4. Whether the petitioner is not entitled to any relief, as he has suppressed material facts from the Court, as alleged? ..*OPR*.

5. Whether the claim of the petitioner has become redundant, as alleged? ..*OPR*.

6. Relief.

6. Thereafter, the parties to the lis were directed to adduce evidence in support of the issues so framed.

7. I have heard the learned counsel for the petitioner as well as learned DDA for the respondents and have also perused the records of the case carefully.

8. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings thereon are as under:

Issue No. 1	: No.
Issue No. 2	: Not entitled to any relief.
Issue No. 3	: No.
Issue No. 4	: Yes.
Issue No. 5	: No.
Relief	: Reference is answered in negative as per operative part of the award.

REASONS FOR FINDINGS

ISSUES NO.1, 2 & 4.

9. Being interlinked and correlated all these issues are taken up together for discussion and decision. The onus to prove issues no. 1 & 2 is on the petitioner whereas onus to prove issue no.4 is on the respondent department.

10. It would be beneficial at this stage to discuss the evidence which has been produced on record by both the parties.

11. To prove the averments as raised in the claim petition, the petitioner stepped into the witness box as PW-1 and tendered in evidence his affidavit Ex. PW-1/A, which is just a reproduction of the averments as made in the claim petition. He also tendered in evidence copy of demand notice Ex. PW-1/B, postal receipts are Ex. PW-1/C and Ex. PW-1/D, reply to the demand notice Ex. PW-1/E, copy of rejoinder to the reply filed by the respondent Ex. PW-1/F, essential duty pass dated 13.04.2020 and 10.05.2021 Ex. PW-1/G and Ex. PW-1/H and photographs are mark-PX-1 to mark-PX-13.

12. During cross-examination, he denied that he was never engaged as daily wager by the respondents. He further denied that he had applied for contractor ship with the department. He denied that form mark-RX was filled and deposited by him with the department. He admitted that his signature in circle-A of mark-RX. He expressed his ignorance that registration certificate mark-RX-1 was issued in his favour by the respondent. He admitted that the department had started the work of growing nursery. He expressed his ignorance that he, Geeta Ram and Suleman had filled quotation to get the contract of Haripur Nursery. He denied that he had filled quotation mark-RX-3, but admitted his signatures in red circle-A of mark-Rx-3. He denied that his quotation was approved by the respondents being the lowest one and the contract was awarded in his favour. He

further denied that after completing the work as contractor he had also raised bills mark-RX-4 with the department. He admitted that mark-RX-4 bear his signature in red circle-A. Self-stated that the document was given to him by the officials of the respondent for his signature. He deposed that he had not made any report against the officials of the department for obtaining his signatures in this manner, before higher authority or before police. He admitted that fire watchers are also engaged on temporary basis during fire season. He denied that he was engaged in the year 2020-2021 as fire watcher on temporary basis. He denied that he had received the entire payment of the work which he undertook as a contractor. He admitted that the pass Ex. PW-1/G was issued to him during covid period. Self stated that he was engaged in the nursery as daily wager and in case of emergency he was also assigned the duty of fire watcher. He admitted that the supervisors, supervise the work of the contractors. He further admitted that in photograph mark-PX-8 official of the forest department can be seen supervising the work. He admitted that his juniors have not been retained or regularized by the forest department. He denied that he had not worked for 240 days in any calendar year.

13. Other witness examined by the petitioner, Sh. Man Chand, who appeared into the witness box as PW-2. He deposed that he was working with the Forest Department in the year 2015-2016 at Haripur Nursery and worked till February 2022. He further deposed that while he was working with respondent, petitioner was also working with him as a labourer and no contractor was engaged by the respondent for any work. He deposed that 15-20 workers were working with the respondent at that time and respondent terminated the services of the petitioner illegally.

14. During cross-examination, he deposed that he was not engaged by the respondent department on daily wages. He showed ignorance that a tender was called by the respondent for Haripur Nursery and Suleman, Geeta Ram and Praveen Kumar filed quotations for that work. He showed ignorance that the work of Haripur Nursery at Kolar was awarded to Praveen Kumar. He could not remember the name of others 15-20 workers who were working with the respondent except Praveen. He denied that petitioner never worked with respondents. He admitted that he had not produced any document to show that he was working with the respondent.

15. Other witness examined by the petitioner, Sh. Raj Kumar, who appeared into the witness box as PW-3, the deposition of this witness is similar to that of PW-2. He also deposed that he was working with the respondent during the year 2017-2018 and petitioner was also working with him during that period as a labourer.

16. During cross-examination, he deposed that he was working with the father of the petitioner and petitioner is known to him since then. He showed ignorance that the tender was called for Haripur Nursery for which Praveen Kumar, Suleman and Geeta Ram had applied/ filed quotations. He further showed ignorance that the work of nursery was awarded to the petitioner.

17. Similar is the statement of PW-4 Sh. Rinku, who has also stated that about 14-15 workers were working and no contractor was employed by the respondents nor they worked under any contractor.

18. During cross-examination, he showed ignorance that tender of Haripur Nursery was called by the respondent and the tender was allotted in favour of petitioner being lowest quotation. He denied that he was not working as a labourer with the respondent. He stated that he has produced documents Ex. PW-4/A and mark-RX-1 to mark-RX-8 and Ex. PW-4/B to show that he was working with respondents. He denied that pass Ex. PW-4/A and Ex. PW-4/D were issued by the respondent during covid time as a fire watcher.

19 The deposition of Smt. Shiksha Devi, who appeared into the witness box as PW-5, is similar that of PW-2 to PW-4.

20. During cross-examination, she showed ignorance that tender was called by the respondent for Haripur Nursery.

21. This is the entire evidence led by the petitioner.

22. To rebut the evidence of the petitioner, respondent examined Shri Ajmer Singh, who appeared into the witness box as RW-1 and tendered in evidence his affidavit Ex. RW-1/A, wherein he has deposed that he was posted as Range Forest Officer in Kolar Range of Nahan Forest Division in the year 2019-2020. The respondent department started the work of raising of nursery in Haripur beat of Kolar Range and the quotations were invited from the contractors for raising of nursery in Haripur Nursery. He deposed that three quotations were received in the office of RFO which had been submitted by contractors Geeta Ram, Suleman and petitioner. The quotations were opened by him in front Shri Jaswant Singh the then Dy. Ranger and Shri Baljeet Singh, Forest Guard and the work of Haripur Nursery was allotted to the petitioner being lowest bidder.

23. During cross-examination, this witness deposed that he was appointed as forest guard on 05.03.1986 at Nahan Division and his first posting was at Jamta Range. He was posted as Dy. Ranger in Kollar Range at Bhedon Block in the year 2012-16. He further deposed that he was posted as Adhoc Ranger in Kollar range in the year 2018 and thereafter on his promotion as Range Officer, he was posted in Kollar Range in the year 2020. He admitted that he has no personal knowledge about the workers engaged in the entire Kolar Range during the year 2016. He denied that the work of Haripur Nursery was operational in all the seasons continuously. He stated that there was no separate order from the higher authority to get the work of Haripur Nursery carried out on quotation basis. He denied that for every work of forest department tender is to be called. He denied that the respondent department had not received any quotations nor the same were opened by him in presence of Jaswant Singh, the then Dy. Ranger and Shri Baljeet Singh, the then forest guard. He further denied that for allotment of forestry work the contractor must possess licence from the labour department and it was incumbent upon the department to have obtained licence from the labour department to allot the work on quotation basis. He denied that the petitioner was engaged as forest worker in the month of October, 2016 and he worked continuously till 30.11.2021. He admitted that payment of the work of Haripur Nursery was also made to Rinku, Meem Singh, Baldev Singh which fact is mentioned in Ex. PZ-1 to Ex. PZ-3. He denied that the signatures of the petitioner and others were obtained while making payments on blank papers. He admitted that photographs Mark PX-5 to Mark PX-13 are of Haripur Nursery. He further admitted that passes Ex. PW-1/G and Ex. PW-1/H were issued by the department, but self-stated that these passes were issued during Covid period. He denied that the petitioner was the regular worker of the department and he was working on muster roll basis. He also denied that the services of petitioner and 13-14 other workmen were wrongly shown on quotation basis just to deny them the benefits of regularization.

24. Sh. Suleman, appeared into the witness box as RW-2 to depose that he was doing contractor-ship and some other casual work. He further deposed that he filed quotation Ex. RW-2/A for Haripur Nursery, which bears his signatures in red circle A. He also deposed that alongwith him Shri praveen Kumar and Geeta Ram had also filled quotations for Haripur Nursery and since the rates of Shri Praveen Kumar were lowest, the work of nursery was awarded to him.

25. During cross-examination, he stated that he is a forest contractor and he was engaged for the work of nursery such as to fill up the bags and to plant trees. He admitted that the respondent department has its own nursery at Haripur where regular and daily wage workers of the department are working. He admitted that he cannot read the contents of Ex. RW-2/A, but denied that he does not know about the rates as mentioned in Ex. RW-2/A nor the rates have been quoted by him. He denied that Ex. RW-2/A was prepared by the officials of the respondent. He admitted

that Praveen Kumar was working with the department *w.e.f.*2016. He denied that he was asked by the respondent department to depose in their favour.

26. Sh. Geeta Ram, appeared into the witness box as RW-3 to depose that he was doing contractor-ship and some other casual work. He further deposed that he filed quotation Ex. RW-3/A for Haripur Nursery and along-with him Shri Praveen Kumar and Suleman had also filled quotations for Haripur Nursery. He also deposed that since the rates of Shri Praveen Kumar were lowest, the work of nursery was awarded to him.

27. During cross-examination, he stated that he had worked as daily wager with the department and he had not obtained any licence of contractor-ship. He showed ignorance that Praveen Kumar was working as daily wager with the respondent department since 2006. He admitted that Haripur and his village are at distance of 30-40 kms. He admitted that daily wagers and regular workers are working in Haripur Nursery of respondent. He denied that he had come to depose in the Court with the officials of the respondent.

28. Other witness examined by the respondents, is Sh. Baljeet Singh, who appeared into the witness box as RW-4, and tendered in evidence his affidavit Ex. RW-4/A, wherein he has stated that he was posted as forest guard in Haripur Beat of Kolar Block in the year 2019-20. The respondent department started the work of raising of nursery in Haripur beat of Kolar Range and the quotations were invited from the contractors for raising of nursery in Haripur Nursery. He deposed that three quotations were received in the office of RFO which had been submitted by contractors Geeta Ram, Suleman and petitioner. The quotations were opened in front of him and Shri Jaswant Singh the then Dy. Ranger and the work of Haripur Nursery was allotted to the petitioner being lowest bidder. He also admitted his signature appears in Ex. RW-1/B, EX. RW-1/C, Ex. RW-1/D, Ex. RW-2/A and Ex. RW-3/A.

29. During cross-examination, he deposed that he joined the services in Kolar Range in 2015 and there is only one forest nursery in Kollar Range. He deposed that the quotations were called through him and he had made publicity of quotations in his beat. He denied that he had not received any quotations. He further denied that no quotations were opened in his presence. He also denied that his signatures on exhibits were obtained later on by the Range Officer in his office. He stated that the petitioner was working as per the contract work allotted to him. He denied that the petitioner was a regular beldar in the respondent department. He also denied that while making the payments, the signatures of the petitioner were obtained on blank papers. He denied that the petitioner was regular worker of the department and he was working on muster roll basis. He denied that the services of petitioner and 13-14 other workmen were wrongly shown on quotation basis just to deny them the benefits of regularization.

30. Sh. Awani Bhushan Raj, appeared into the witness box as RW-5, and tendered in evidence his affidavit Ex. RW-5/A, which is just a reproduction of the averments as made in the reply. He also tendered in evidence application form dated 17.01.2018 Ex. RW-5/B, intimation memo of registration of contractors Ex. RW-5/C and copy of registration certificate Ex. RW-5/D.

31. During cross-examination, he deposed that he was transferred from Dalhausie to Nahan in Feb., 2024. He admitted that registration form Ex. RW-5/B was not submitted by the petitioner with him. He admitted that the contract work was to be allotted as per Rules. He admitted that registration certificate Ex. RW-5/C was valid only for one year. He denied that the list of contractors is submitted to Divisional Forest Officer by the Forest Guards. He further denied that the petitioner never applied for work on contract basis. He denied that the work of nursery can only be allotted to one contractor. He admitted that Ex. PW-1/G & Ex. PW-1/H have been issued by the department to petitioner, but explained that these passes have been issued for travelling purposes

during Covid period. He denied that for same work payments were made to Rinku, Meem Singh and Baldev Singh *vide* Ex. PZ-1 to Ex. PZ-3. He denied that the petitioner was regular worker of the department and he was working on muster roll since October, 2016 till 30.11.2021. He denied that the services of the petitioner were terminated illegally without complying with the mandatory provisions of the Act. He also denied that the junior persons to the petitioner have been retained and regularized.

32. This is the entire evidence led by the respondent.

33. Now, coming to the case in hand, the claim of the petitioner is that he was a regular worker and had completed 240 working days in each calendar year with the respondent since 2016, but his services were orally terminated in utter violation of mandatory provisions of Sections 25-F, 25-G and 25-H of the Act on 01.12.2021. The petitioner through this petition has prayed that his oral termination order be set aside and he be reinstated in service with all the consequential service benefits including full back-wages as well as litigation cost and damages. On the other hand, the respondent has taken a plea that the petitioner was never engaged as daily waged worker and in order to carry out the work of nursery of Haripur quotations were called and since the quotation of the petitioner was lowest the work of Haripur nursery was awarded to him and payments of work were made to the petitioner.

34. Since, the plea of the petitioner is that he was a regular employee/worker with the respondent department as he had worked on muster roll basis with the respondent since 2016 and had completed 240 working days in each calendar year till his illegal termination on 01.12.2021, but he has not produced any muster roll on record in accordance with law which could show that he was working with the respondent department since the year 2016 regularly and had completed 240 working days in each calendar year. It is not the case of the petitioner that he was not allowed to mark his attendance in the attendance register nor there is any evidence on record that he had made any complaint to any authority that he was not allowed to mark his presence in the attendance register. Petitioner though has produced on record documents Mark PX-1 to Mark PX-13 but these documents neither bears any stamp of respondent nor signatures of any authority/official of the respondent. The onus to prove that the petitioner had completed 240 days in preceding twelve calendar months was heavily on the petitioner. In **Municipal Corporation, Faridabad v. Siri Niwas (2004 (8) SCC 195)**, it was held that the burden was on the workman to show that he was working for more than 240 days in the preceding one year prior to his alleged retrenchment. In **M.P. Electricity Board v. Hariram (2004 (8) SCC 246)** the position was again reiterated in paragraph 11 as follows:—

“The above burden having not been discharged and the Labour Court having held so, in our opinion, the Industrial Court and the High Court erred in basing an order of reinstatement solely on an adverse inference drawn erroneously. At this stage it may be useful to refer to a judgment of this Court in the case of Municipal Corporation, Faridabad v. Siri Niwas JT 2004 (7) SC 248 wherein this Court disagreed with the High Court's view of drawing an adverse inference in regard to the nonproduction of certain relevant documents. This is what this Court had to say in that regard:—

"A court of law even in a case where provisions of the Indian Evidence Act apply, may presume or may not presume that if a party despite possession of the best evidence had not produced the same, it would have gone against his contentions. The matter, however, would be different where despite direction by a court the evidence is withheld. Presumption as to adverse inference for non-production of evidence is always optional and one of the factors which is required to be taken into consideration is the background of facts involved in the lis. The presumption, thus, is not obligatory because notwithstanding the intentional non-production, other circumstances may

exist upon which such intentional non-production may be found to be justifiable on some reasonable grounds. In the instant case, the Industrial Tribunal did not draw any adverse inference against the appellant. It was within its jurisdiction to do so particularly having regard to the nature of the evidence adduced by the respondent."

35. In **Manager, Reserve Bank of India, Bangalore v. S. Mani and Ors. (2005(5) SCC 100)** a three-Judge Bench of this Court again considered the matter and held that the initial burden of proof was on the workman to show that he had completed 240 days of service. Tribunal's view that the burden was on the employer was held to be erroneous. In **Batala Cooperative Sugar Mills Ltd. v. Sowaran Singh (2005 (7) Supreme 165)** it was held as follows:
"So far as the question of onus regarding working for more than 240 days is concerned, as observed by this Court in **Range Forest Officer v. S.T. Hadimani (2002 (3) SCC 25)** the onus is on the workman."

36. Furthermore, in **R.M. Yellatty vs. Assistant Executive Engineer, (2006) 1 SCC 106**, it has been laid by the Hon'ble Supreme Court that the burden of proof is on the claimant to show that he had worked for 240 days in a given year.

37. Applying the principles laid down in the above case by the Hon'ble Supreme Court, it was required of the petitioner to establish on record that he had worked continuously for a period 240 days in a block of twelve calendar months anterior to the date of his alleged illegal termination, but he has failed to discharge his initial burden.

38. No document worth the name has been produced on record by the petitioner in order to show that he was working with the respondent department since the year 2016 as daily wager on muster roll basis and he had completed 240 working days in each calendar year or proceedings twelve months preceding his alleged oral termination. Though the petitioner has examined PW-2 to PW-4, who have deposed that the petitioner was working with the respondent and they have claimed that they have also worked with the respondent but no document has been produced by these witnesses on record to establish that either the petitioner or they were working with the respondent department as daily wagers. Rather these witnesses have shown ignorance that the respondent had called tender for the work of nursery and being lowest bidder the work of nursery was awarded to the petitioner.

39. The respondent has taken a specific stand that the petitioner was never engaged as daily wager by the respondent rather the petitioner had applied for registration of contractor for forestry works *vide* Ex. PW-5/B. This document was put to petitioner (PW-1), who admitted his signatures on this document. However, the petitioner has shown ignorance that registration certificate Ex. PW-5/B was issued in his favour but PW-5 has proved on record that the petitioner had applied for registration of contractor in the year 2017-18 and registration certificate was issued in his favour by the respondent department.

40. It is further the case of the respondent that the quotations for work of nursery at Hripur was called and since the quotation of petitioner was lowest, he was awarded the work of nursery at Haripur. PW-5 has stated on oath that the quotation was opened in his presence and since the quotation of the petitioner was lowest, he was awarded the work of Haripur nursery on bill basis. PW-1 has not disputed his signatures on bill Ex. PW-1/D in red circle A which fact clearly substantiate the claim of the respondent that the petitioner was awarded the work of Haripur nursery as his quotation was found to be lowest.

41. At the time of arguments, Ld. counsel for the petitioner had argued that the respondent department had issued documents Ex. PW-1/G & Ex. PW-1/H in favour of the petitioner wherein the designation of the petitioner has been mentioned as fire watcher/forest worker. However, all the

witness of the respondent specifically RW-4 & RW-5 have categorically stated that passes Ex. PW-1/G & Ex. PW-1/H were issued during covid period only for travelling purpose. Respondent has taken the defence that the fire watchers were engaged for temporary period and even petitioner during his cross-examination has admitted that fire watchers are also engaged on temporary basis. Even if it is taken into consideration that the petitioner was engaged as fire watcher on temporary basis that would also not prove the case of the petitioner that he was a regular worker of respondent department and he had completed 240 working days in each calendar year. The petitioner has miserably failed to establish on record that he was regularly working with the respondent since 2016 and had completed 240 working days in each calendar year, thus, the petitioner has failed to prove on record that his services were continuous in terms of Section 25-B of the Act as such he cannot claim any benefits under Sections 25-F of the Act. The respondent has examined S/Shri Suleman and Geeta Ram, who had also filed quotation for the same work and they have also affirmed the stand of the respondent that since the quotation of the petitioner was lowest, the work of Haripur nursery was awarded to him. Though, the petitioner has taken the stand that his signatures on blank papers were taken and he was shown to be engaged on bill basis, but the petitioner has miserably failed to prove on record that he was in continuous service with the respondent in terms of Section 25-B of the Act. The petitioner has admitted his signatures on bill during his cross-examination. Even, if the plea of obtaining signatures on blank papers is considered, the petitioner has failed to place on record any complaint submitted by him to any authority in this regard. The petitioner has received the payments on bills to which he had never objected. The petitioner has taken the payment under bills and now he cannot claim that he was a regular worker and that his services were terminated illegally. Though, the Ld. Counsel for the petitioner had argued that the respondents have not followed the proper procedure for calling quotations. Even, if it is presumed that the quotations were not properly called that would ipso-facto would not make the petitioner regular worker of the respondents.

42. The petitioner has also taken the plea that juniors to him have been retained whereas his services have been terminated, but during cross-examination the petitioner himself has admitted this fact that his juniors have not been retained or regularized by the forest department. There is no iota of evidence to establish that the petitioner was a regular worker of the respondents and there was any violation of provisions of Sections 25-F, 25-G and 25-H of the Act by the respondents.

43. In view of my foregoing discussion and keeping in view the fact that the petitioner has not completed 240 working days in any of the calendar year and has also failed to establish on record that his service was continuous for the purpose of Section 25-B of the Act till 28.05.2018 and further failed to establish on record that there is any violation of Section 25-G & 25-H of the Act, the petitioner is not entitled to any relief as claimed by him. The issues no.1 & 2 are decided against the petitioner and answered in negative. So far as issue no. 4 is concerned, the petitioner has not pleaded complete facts before this Court that he was working on bill basis and had filed quotation for nursery work as such it is also stands proved on record that the petitioner has suppressed material facts from this Court. Thus, issue no. 4 is answered in favour of the respondent and against the petitioner.

ISSUE NO. 3

44. So far as issue no. 3 is concerned, the respondent has not led any evidence to establish on record that as to how the present claim petition is not maintainable. I find nothing wrong with this petition which is perfectly maintainable in the present form. The issue no. 3 is answered in negative.

ISSUE NO. 5

45. So far as issue no. 5 is concerned, the respondent has not led any specific evidence to show that as to how the claim of the petitioner has become redundant. Therefore, the issue no. 5 is answered in favour of petitioner and against the respondent.

RELIEF

46. As a sequel to my above discussion and findings on issues no. 1 to 5 above, the claim of the petitioner fails and is hereby dismissed by holding that the petitioner is not entitled to any relief from this Court. The reference is answered in the aforesaid terms.

47. Let a copy of this award be communicated to the appropriate Government for publication in the official gazette. The file after due completion be tagged with the main case file.

Announced in the open Court today on this 12th Day of November, 2025.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Labour Court-cum-Industrial Tribunal,
Shimla, H.P.

**IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE HP INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, SHIMLA, CAMP COURT AT NALAGARH**

Reference No : 55 of 2023

Instituted on : 03.03.2023

Decided on : 26.11.2025

Guddo Devi, c/o Sh. Satish Kumar (President), HP AITUC, HQ#7, Omaxe Parkwoods,
Phase-II, Chakkan Road, Baddi, District Solan, H.P. ..Petitioner.

VERSUS

The Managing Director, m/s CAPTAB BIOTECH Unit-II, Plot No. 125, EPIP, Jharmajri,
Tehsil Nalagarh, District Solan, H.P. ..Respondent.

Reference under Section 10 of the Industrial Disputes Act, 1947.

For the petitioner : Shri J.C. Bhardwaj, AR.

For the respondent : *Ex-parte*.

AWARD

The following reference was received for adjudication from the appropriate Government:

“Whether termination of the services of Smt. Guddo Devi, c/o Sh. Satish Kumar (President), HP AITUC, HQ #7, Omaxe Parkwoods Phase II, Chakkan Road, Baddi, District Solan,

H.P. by the Managing Director, m/s CAPTAB BIOTECH, Unit-II, Plot No. 125, EPIP, Jharmajri, Tehsil Nalagarh, District Solan, H.P. w.e.f. 13.01.2022 without complying with the provisions of the Industrial Disputes Act, 1947 as alleged by the workman, is legal and justified? If not, what relief of reinstatement in services, past service benefits, leave encashment, overtime benefits and compensation etc. the above aggrieved workman is entitled to from the above management?"

2. The facts as emerges from the statement of claim are that the petitioner was appointed in the service of the respondent company at the first instance during the month of January, 2018 and she continued in service till her illegal termination from service on 13.01.2022. The petitioner was performing her duty sincerely with the respondent company, but her services were illegally terminated without any speaking orders on 13.01.2022 and further without any cogent reason and justification. The last drawn salary of the petitioner was Rs. 8,250/- per month. The termination of the petitioner is against the principles of natural justice. Neither any show cause notice was issued nor any inquiry was conducted by the respondent nor any chargesheet ever served upon her for committing any misconduct. Thus while terminating the services of the petitioner, respondent has violated the mandatory provisions of the Industrial Disputes Act, 1947 (hereinafter to be referred as the Act). The sudden termination from the service has made the petitioner unemployed since the date of her illegal termination on 13.01.2022 and she has not been employed anywhere till now. It has been prayed by the petitioner that she be reinstated in service with continuity, full back wages and other consequential benefits.

3. Notice of this claim petition was sent to the respondent, however despite service in accordance with law, the respondent did not appear and was proceeded against *ex-parte vide* order dated 24.09.2024.

4. Coming to evidence led by the petitioner, petitioner has stepped into the witness box as PW-1 and led her evidence by way of affidavit Ex. PW-1/A, which is just a reproduction of the averments as made in the petition. The petitioner has also tendered in evidence copy of demand notice Ex. PW-1/B and copy of reply filed by the respondent before Conciliation Officer as Ex. PW-1/C.

5. This is the entire evidence led by the petitioner.

6. So far as, the statement of the petitioner is concerned the same remained unrebutted as the respondent has not chosen to contest the claim filed by the petitioner and to lead evidence. It is the case of the petitioner that she was appointed by the respondent company in the month of January, 2018 and worked as such up till 13.01.2022 continuously. It is also the case of the petitioner that she had completed 240 days in each calendar year and also in preceding twelve calendar months prior to her illegal termination.

7. Retrenchment under Section 2 (oo) of the Act, is comprehensive enough to include all types of terminations of service, unless the termination falls within any of the exceptional categories mentioned therein. In the instant case, the statement of the petitioner which goes unrebutted would establish on record that she was appointed by the respondent company in the month of January, 2018 and she worked continuously as such till 13.01.2022. She had completed 240 days in each calendar year, but the respondent has terminated the services of the petitioner orally. No action has been initiated against the petitioner by way of any disciplinary inquiry. Before, terminating the services of the petitioner, it was incumbent upon the respondent to have issued notice as provided in Section 25-F of the Act, which reads as under:—

“No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until :—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice;*
- (b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay for every completed year of continuous service or any part thereof in excess of six months; and*
- (c) notice in the prescribed manner is served on the appropriate Government for such authority as may be specified by the appropriate Government by notification in the Official Gazette”.*

8. So, in view of this enabling provision of the Act, no workman employed in any industry, who has been in “continuous service” for not less than one year, can be retrenched by the employer unless He/she has been given one month’s notice in writing indicating the reasons for retrenchment and that the period of notice has expired or the workman has been paid in lieu of such notice wages for the period of notice. Coming to the case in hand respondent has not complied with the provisions of Section 25-F of the Act and proceeded to terminate the services of the petitioner orally as such the termination of the petitioner from service w.e.f. 13.01.2022 is neither legal nor justified.

9. The second point which arises for consideration in this case is that whether there is any violation of Section 25-G of the *ibid* Act which reads as under:—

“25-G. Procedure for retrenchment.- *Where any workman in an industrial establishment, who is a citizen of India, is to be retrenched and she belongs to a particular category of workmen in that establishment, in the absence of any agreement between the employer and the workman in this behalf, the employer shall ordinarily retrench the workman who was the last person to be employed in that category, unless for reasons to be recorded the employer retrenches any other workman”.*

10. To invoke this provision, the workman is not required to prove that she had worked for 240 days preceding to the date of her termination but it is sufficient for her to plead and prove that while terminating her services, the employer violated the rules of “last come first go”. The petitioner has not made any averments in the statement of claim and also did not utter a single word while appearing in the witness box that who are the newly engaged persons who were junior to her and when they joined the respondent company. Neither there is any evidence to establish on record that juniors have been retained by the respondent in violation of the provisions of Sections 25-G & 25-H of the Act nor there is anything on record to establish that the respondent has violated the principles of “last come first go”.

11. Now, the last question which has been raised by the petitioner through this claim petition is that she is not only entitled for reinstatement with seniority and continuity but also for back-wages. The petitioner in her statement of claim as well as in her evidence *vide* Ex. PW-1/A has averred that since the date of her oral termination, she is not gainfully employed anywhere. Though, it is settled that the entitlement of any employee to get re-instated does not necessarily and mechanically result in payment of full or partial back-wages which is independent of re-instatement and host of factors like the manner and method of selection and appointment, nature of appointment whether ad-hoc, short term, daily wage, temporary and permanent in character and length of

service, which the workman had rendered with the employer, are required to be taken into consideration before passing any order for award of back-wages. This position was reiterated in **Kanpur Electricity Supply C. Ltd. Vs. Shamim Mirza (2009) 1 SCC 20** as well as in **Ritu Marbles Vs. Prabhakant Shukla (2010) 2 SCC 70**.

12. In the case in hand the averments as made in the claim goes un rebutted. The petitioner has shown that she was not gainfully employed anywhere. In **Kendriya Vidyalaya Sangathan Versus S.C. Sharma (2005) SCC 363**, the Hon'ble Apex Court held that the question of determining the entitlement of a person to back wages is concerned, the employee has to show that she was not gainfully employed. The initial burden is on the employee to prove that. The Hon'ble Apex Court in **National Gandhi Musuem Vs. Sudhir Sharma (2-21) 12 SCC 439** has considered this aspect and held as under:—

“Whether an employee after dismissal from service was gainfully employed is something, which is within his special knowledge. Considering the principle incorporated in Section 106 of the Indian Evidence Act, the initial burden is on the employee to come out with the case that he was not gainfully employed after the order of termination. It is a negative burden, however, in what manner the employee can discharge the said burden will depend upon peculiar facts and circumstances of each case. It all depends on the pleadings and evidence on record. Since it is a negative burden, in a given case, an assertion on oath by the employee that he was unemployed, may be sufficient compliance in the absence of any positive material brought on record by the employer.”

13. In view of the above judgments, since the petitioner has averred in the statement of claim as well as in her evidence Ex. PW1/A that she is not gainfully employed after her termination and respondent has not chosen to contest the claim, as such it is to be construed that respondent has nothing to say against this claim of the petitioner.

14. In view of my aforesaid discussion, the claim filed by the petitioner succeeds and is hereby allowed. The respondent is directed to re-engage the petitioner in service from 13.01.2022 with seniority and continuity along-with full back-wages. The payment of back-wages shall be payable within a period of two months from the date of announcement of this award failing which the same shall carry interest @ 9% per annum. The reference is answered in the aforesaid terms.

15. Let a copy of this award be communicated to the appropriate Government for publication in the official gazette. The file after due completion be consigned to records.

Announced in the open Court today on this 26th day of November, 2025.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Labour Court-cum-Industrial Tribunal ,
Shimla, H.P.

IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE HP INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, SHIMLA, CAMP COURT AT NALAGARH

Reference No : 56 of 2023.

Instituted on : 03-03-2023

Decided on : 26-11-2025

Nanhi Devi, c/o Sh. Satish Kumar (President), HP AITUC, HQ#7, Omaxe Parkwoods, Phase-II, Chakkan Road, Baddi, District Solan, H.P. ..*Petitioner.*

VERSUS

The Managing Director, m/s CAPTAB BIOTECH Unit-II, Plot No. 125, EPIP, Jharmajri, Tehsil Nalagarh, District Solan, H.P. ..*Respondent.*

Reference under Section 10 of the Industrial Disputes Act, 1947.

For the petitioner : Shri J.C. Bhardwaj, AR.

For the respondent : *Ex-parte.*

AWARD

The following reference was received for adjudication from the appropriate Government:—

“Whether termination of the services of Smt. Nanhi Devi, c/o Sh. Satish Kumar (President), HP AITUC, HQ #7, Omaxe Parkwoods Phase II, Chakkan Road, Baddi, District Solan, H.P. by the Managing Director, m/s CAPTAB BIOTECH, Unit-II, Plot No. 125, EPIP, Jharmajri, Tehsil Nalagarh, District Solan, H.P. w.e.f. 13.01.2022 without complying with the provisions of the Industrial Disputes Act, 1947 as alleged by the workman, is legal and justified? If not, what relief of reinstatement in services, past service benefits, leave encashment, overtime benefits and compensation etc. the above aggrieved workman is entitled to from the above management?”

2. The facts as emerges from the statement of claim are that the petitioner was appointed in the service of the respondent company at the first instance during the month of January, 2018 and she continued in service till her illegal termination from service on 13.01.2022. The petitioner was performing her duty sincerely with the respondent company, but her services were illegally terminated without any speaking orders on 13.01.2022 and further without any cogent reason and justification. The last drawn salary of the petitioner was Rs. 8,250/- per month. The termination of the petitioner is against the principles of natural justice. Neither any show cause notice was issued nor any inquiry was conducted by the respondent nor any chargesheet ever served upon her for committing any misconduct. Thus while terminating the services of the petitioner, respondent has violated the mandatory provisions of the Industrial Disputes Act, 1947 (hereinafter to be referred as the Act). The sudden termination from the service has made the petitioner unemployed since the date of her illegal termination on 13.01.2022 and she has not been employed anywhere till now. It has been prayed by the petitioner that she be reinstated in service with continuity, full back wages and other consequential benefits.

3. Notice of this claim petition was sent to the respondent, however despite service in accordance with law, the respondent did not appear and was proceeded against *ex-parte vide* order dated 24-09-2024.

4. Coming to evidence led by the petitioner, petitioner has stepped into the witness box as PW-1 and led her evidence by way of affidavit Ex. PW-1/A, which is just a reproduction of the averments as made in the petition. The petitioner has also tendered in evidence copy of demand

notice Ex. PW-1/B and copy of reply filed by the respondent before Conciliation Officer as Ex. PW-1/C.

5. This is the entire evidence led by the petitioner.

6. So far as, the statement of the petitioner is concerned the same remained unrebutted as the respondent has not chosen to contest the claim filed by the petitioner and to lead evidence. It is the case of the petitioner that she was appointed by the respondent company in the month of January, 2018 and worked as such up till 13.01.2022 continuously. It is also the case of the petitioner that she had completed 240 days in each calendar year and also in preceding twelve calendar months prior to her illegal termination.

7. Retrenchment under Section 2 (oo) of the Act, is comprehensive enough to include all types of terminations of service, unless the termination falls within any of the exceptional categories mentioned therein. In the instant case, the statement of the petitioner which goes unrebutted would establish on record that she was appointed by the respondent company in the month of January, 2018 and she worked continuously as such till 13.01.2022. She had completed 240 days in each calendar year, but the respondent has terminated the services of the petitioner orally. No action has been initiated against the petitioner by way of any disciplinary inquiry. Before, terminating the services of the petitioner, it was incumbent upon the respondent to have issued notice as provided in Section 25-F of the Act, which reads as under:—

“No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until :

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice;*
- (b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay for every completed year of continuous service or any part thereof in excess of six months; and*
- (c) notice in the prescribed manner is served on the appropriate Government for such authority as may be specified by the appropriate Government by notification in the Official Gazette.*

8. So, in view of this enabling provision of the Act, no workman employed in any industry, who has been in “continuous service” for not less than one year, can be retrenched by the employer unless He/she has been given one month’s notice in writing indicating the reasons for retrenchment and that the period of notice has expired or the workman has been paid in lieu of such notice wages for the period of notice. Coming to the case in hand respondent has not complied with the provisions of Section 25-F of the Act and proceeded to terminate the services of the petitioner orally as such the termination of the petitioner from service w.e.f. 13.01.2022 is neither legal nor justified.

9. The second point which arises for consideration in this case is that whether there is any violation of Section 25-G of the ibid Act which reads as under:—

“25-G. Procedure for retrenchment.- *Where any workman in an industrial establishment, who is a citizen of India, is to be retrenched and she belongs to a particular category of workmen in that establishment, in the absence of any agreement between the employer and the workman in*

this behalf, the employer shall ordinarily retrench the workman who was the last person to be employed in that category, unless for reasons to be recorded the employer retrenches any other workman”.

10. To invoke this provision, the workman is not required to prove that she had worked for 240 days preceding to the date of her termination but it is sufficient for her to plead and prove that while terminating her services, the employer violated the rules of “last come first go”. The petitioner has not made any averments in the statement of claim and also did not utter a single word while appearing in the witness box that who are the newly engaged persons who were junior to her and when they joined the respondent company. Neither there is any evidence to establish on record that juniors have been retained by the respondent in violation of the provisions of Sections 25-G & 25-H of the Act nor there is anything on record to establish that the respondent has violated the principles of “last come first go”.

11. Now, the last question which has been raised by the petitioner through this claim petition is that she is not only entitled for reinstatement with seniority and continuity but also for back-wages. The petitioner in her statement of claim as well as in her evidence *vide* Ex. PW-1/A has averred that since the date of her oral termination, she is not gainfully employed anywhere. Though, it is settled that the entitlement of any employee to get re-instated does not necessarily and mechanically result in payment of full or partial back-wages which is independent of re-instatement and host of factors like the manner and method of selection and appointment, nature of appointment whether ad-hoc, short term, daily wage, temporary and permanent in character and length of service, which the workman had rendered with the employer, are required to be taken into consideration before passing any order for award of back-wages. This position was reiterated in **Kanpur Electricity Supply C. Ltd. Vs. Shamim Mirza (2009) 1 SCC 20** as well as in **Ritu Marbles Vs. Prabhakant Shukla (2010) 2 SCC 70**.

12. In the case in hand the averments as made in the claim goes un rebutted. The petitioner has shown that she was not gainfully employed anywhere. In **Kendriya Vidyalaya Sangathan Versus S.C. Sharma (2005) SCC 363**, the Hon’ble Apex Court held that the question of determining the entitlement of a person to back wages is concerned, the employee has to show that she was not gainfully employed. The initial burden is on the employee to prove that. The Hon’ble Apex Court in **National Gandhi Musuem Vs. Sudhir Sharma (2-21) 12 SCC 439** has considered this aspect and held as under:—

“Whether an employee after dismissal from service was gainfully employed is something, which is within his special knowledge. Considering the principle incorporated in Section 106 of the Indian Evidence Act, the initial burden is on the employee to come out with the case that he was not gainfully employed after the order of termination. It is a negative burden, however, in what manner the employee can discharge the said burden will depend upon peculiar facts and circumstances of each case. It all depends on the pleadings and evidence on record. Since it is a negative burden, in a given case, an assertion on oath by the employee that he was unemployed, may be sufficient compliance in the absence of any positive material brought on record by the employer.”

13. In view of the above judgments, since the petitioner has averred in the statement of claim as well as in her evidence Ex. PW1/A that she is not gainfully employed after her termination and respondent has not chosen to contest the claim, as such it is to be construed that respondent has nothing to say against this claim of the petitioner.

14. In view of my aforesaid discussion, the claim filed by the petitioner succeeds and is hereby allowed. The respondent is directed to re-engage the petitioner in service from 13-01-2022

with seniority and continuity along-with full back-wages. The payment of back-wages shall be payable within a period of two months from the date of announcement of this award failing which the same shall carry interest @ 9% per annum. The reference is answered in the aforesaid terms.

15. Let a copy of this award be communicated to the appropriate Government for publication in the official gazette. The file after due completion be consigned to records.

Announced in the open Court today on this 26th day of November, 2025.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Labour Court-cum-Industrial Tribunal,
Shimla, H.P.

**IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE, HP INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, SHIMLA, CAMP COURT AT NALAGARH**

Reference No : 57 of 2023

Instituted on : 03.03.2023

Decided on : 26.11.2025

Rajni, c/o Sh. Satish Kumar (President), HP AITUC, HQ#7, Omaxe Parkwoods, Phase-II,
Chakkan Road, Baddi, District Solan, H.P. ..Petitioner.

VERSUS

The Managing Director, M/S CAPTAB BIOTECH Unit-II, Plot No. 125, EPIP, Jharmajri,
Tehsil Nalagarh, District Solan, H.P. ..Respondent.

Reference under Section 10 of the Industrial Disputes Act, 1947.

For the petitioner : Shri J.C. Bhardwaj, AR.

For the respondent : *Ex-parte*.

AWARD

The following reference was received for adjudication from the appropriate Government:—

“Whether termination of the services of Smt. Rajni, c/o Sh. Satish Kumar (President), HP AITUC, HQ #7, Omaxe Parkwoods Phase-II, Chakkan Road, Baddi, District Solan, H.P. by the Managing Director, M/S CAPTAB BIOTECH, Unit-II, Plot No. 125, EPIP, Jharmajri, Tehsil Nalagarh, District Solan, H.P. w.e.f. 13.01.2022 without complying with the provisions of the Industrial Disputes Act, 1947 as alleged by the workman, is legal and

justified? If not, what relief of reinstatement in services, past service benefits, leave encashment, overtime benefits and compensation etc. the above aggrieved workman is entitled to from the above management?"

2. The facts as emerges from the statement of claim are that the petitioner was appointed in the service of the respondent company at the first instance during the month of January, 2018 and she continued in service till her illegal termination from service on 13.01.2022. The petitioner was performing her duty sincerely with the respondent company, but her services were illegally terminated without any speaking orders on 13.01.2022 and further without any cogent reason and justification. The last drawn salary of the petitioner was Rs. 8,250/- per month. The termination of the petitioner is against the principles of natural justice. Neither any show cause notice was issued nor any inquiry was conducted by the respondent nor any chargesheet ever served upon her for committing any misconduct. Thus while terminating the services of the petitioner, respondent has violated the mandatory provisions of the Industrial Disputes Act, 1947 (hereinafter to be referred as the Act). The sudden termination from the service has made the petitioner unemployed since the date of her illegal termination on 13.01.2022 and she has not been employed anywhere till now. It has been prayed by the petitioner that she be reinstated in service with continuity, full back wages and other consequential benefits.

3. Notice of this claim petition was sent to the respondent, however despite service in accordance with law, the respondent did not appear and was proceeded against *ex-parte vide* order dated 24-09-2024.

4. Coming to evidence led by the petitioner, petitioner has stepped into the witness box as PW-1 and led her evidence by way of affidavit Ex. PW-1/A, which is just a reproduction of the averments as made in the petition. The petitioner has also tendered in evidence copy of demand notice Ex. PW-1/B and copy of reply filed by the respondent before Conciliation Officer as Ex. PW-1/C.

5. This is the entire evidence led by the petitioner.

6. So far as, the statement of the petitioner is concerned the same remained unrebutted as the respondent has not chosen to contest the claim filed by the petitioner and to lead evidence. It is the case of the petitioner that she was appointed by the respondent company in the month of January, 2018 and worked as such up till 13.01.2022 continuously. It is also the case of the petitioner that she had completed 240 days in each calendar year and also in preceding twelve calendar months prior to her illegal termination.

7. Retrenchment under Section 2 (oo) of the Act, is comprehensive enough to include all types of terminations of service, unless the termination falls within any of the exceptional categories mentioned therein. In the instant case, the statement of the petitioner which goes unrebutted would establish on record that she was appointed by the respondent company in the month of January, 2018 and she worked continuously as such till 13.01.2022. She had completed 240 days in each calendar year, but the respondent has terminated the services of the petitioner orally. No action has been initiated against the petitioner by way of any disciplinary inquiry. Before, terminating the services of the petitioner, it was incumbent upon the respondent to have issued notice as provided in Section 25-F of the Act, which reads as under:—

"No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until :—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice;*

- (b) *the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay for every completed year of continuous service or any part thereof in excess of six months; and*
- (c) *notice in the prescribed manner is served on the appropriate Government for such authority as may be specified by the appropriate Government by notification in the Official Gazette".*

8. So, in view of this enabling provision of the Act, no workman employed in any industry, who has been in "continuous service" for not less than one year, can be retrenched by the employer unless he/she has been given one month's notice in writing indicating the reasons for retrenchment and that the period of notice has expired or the workman has been paid in lieu of such notice wages for the period of notice. Coming to the case in hand respondent has not complied with the provisions of Section 25-F of the Act and proceeded to terminate the services of the petitioner orally as such the termination of the petitioner from service *w.e.f.* 13.01.2022 is neither legal nor justified.

9. The second point which arises for consideration in this case is that whether there is any violation of Section 25-G of the *ibid* Act which reads as under:—

"25-G. Procedure for retrenchment.— *Where any workman in an industrial establishment, who is a citizen of India, is to be retrenched and she belongs to a particular category of workmen in that establishment, in the absence of any agreement between the employer and the workman in this behalf, the employer shall ordinarily retrench the workman who was the last person to be employed in that category, unless for reasons to be recorded the employer retrenches any other workman".*

10. To invoke this provision, the workman is not required to prove that she had worked for 240 days preceding to the date of her termination but it is sufficient for her to plead and prove that while terminating her services, the employer violated the rules of "last come first go". The petitioner has not made any averments in the statement of claim and also did not utter a single word while appearing in the witness box that who are the newly engaged persons who were junior to her and when they joined the respondent company. Neither there is any evidence to establish on record that juniors have been retained by the respondent in violation of the provisions of Sections 25-G & 25-H of the Act nor there is anything on record to establish that the respondent has violated the principles of "last come first go".

11. Now, the last question which has been raised by the petitioner through this claim petition is that she is not only entitled for reinstatement with seniority and continuity but also for back-wages. The petitioner in her statement of claim as well as in her evidence *vide* Ex. PW-1/A has averred that since the date of her oral termination, she is not gainfully employed anywhere. Though, it is settled that the entitlement of any employee to get re-instated does not necessarily and mechanically result in payment of full or partial back-wages which is independent of re-instatement and host of factors like the manner and method of selection and appointment, nature of appointment whether ad-hoc, short term, daily wage, temporary and permanent in character and length of service, which the workman had rendered with the employer, are required to be taken into consideration before passing any order for award of back-wages. This position was reiterated in **Kanpur Electricity Supply C. Ltd. Vs. Shamim Mirza (2009) 1 SCC 20** as well as in **Ritu Marbles Vs. Prabhankant Shukla (2010) 2 SCC 70**.

12. In the case in hand the averments as made in the claim goes un rebutted. The petitioner has shown that she was not gainfully employed anywhere. In **Kendriya Vidyalaya Sangathan**

Versus S.C. Sharma (2005) SCC 363, the Hon'ble Apex Court held that the question of determining the entitlement of a person to back wages is concerned, the employee has to show that she was not gainfully employed. The initial burden is on the employee to prove that. The Hon'ble Apex Court in **National Gandhi Musuem Vs. Sudhir Sharma (2-21) 12 SCC 439** has considered this aspect and held as under:—

“Whether an employee after dismissal from service was gainfully employed is something, which is within his special knowledge. Considering the principle incorporated in Section 106 of the Indian Evidence Act, the initial burden is on the employee to come out with the case that he was not gainfully employed after the order of termination. It is a negative burden, however, in what manner the employee can discharge the said burden will depend upon peculiar facts and circumstances of each case. It all depends on the pleadings and evidence on record. Since it is a negative burden, in a given case, an assertion on oath by the employee that he was unemployed, may be sufficient compliance in the absence of any positive material brought on record by the employer.”

13. In view of the above judgments, since the petitioner has averred in the statement of claim as well as in her evidence Ex.PW1/A that she is not gainfully employed after her termination and respondent has not chosen to contest the claim, as such it is to be construed that respondent has nothing to say against this claim of the petitioner.

14. In view of my aforesaid discussion, the claim filed by the petitioner succeeds and is hereby allowed. The respondent is directed to re-engage the petitioner in service from 13.01.2022 with seniority and continuity along-with full back-wages. The payment of back-wages shall be payable within a period of two months from the date of announcement of this award failing which the same shall carry interest @ 9% per annum. The reference is answered in the aforesaid terms.

15. Let a copy of this award be communicated to the appropriate Government for publication in the official gazette. The file after due completion be consigned to records.

Announced in the open Court today on this 26th day of November, 2025.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Labour Court-cum-Industrial Tribunal ,
Shimla, H.P.

**IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE, HP INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, SHIMLA, CAMP COURT AT NALAGARH**

Reference No : 73 of 2023

Instituted on : 09.05.2023

Decided on : 26.11.2025

Poonam, c/o Sh. Satish Kumar (President), HP AITUC, HQ#7, Omaxe Parkwoods,
Phase-II, Chakkan Road, Baddi, District Solan, H.P. ..Petitioner.

VERSUS

The Managing Director, M/S CAPTAB BIOTECH Unit-II, Plot No. 125, EPIP, Jharmajri, Tehsil Nalagarh, District Solan, H.P. ..Respondent.

Reference under Section 10 of the Industrial Disputes Act, 1947

For the petitioner : Shri J.C. Bhardwaj, AR

For the respondent : *Ex-parte*

AWARD

The following reference was received for adjudication from the appropriate Government:—

“Whether termination of the services of Smt. Poonam, c/o Sh. Satish Kumar (President), HP AITUC, HQ #7, Omaxe Parkwoods Phase II, Chakkan Road, Baddi, District Solan, H.P. by the Managing Director, M/S CAPTAB BIOTECH, Unit-II, Plot No. 125, EPIP, Jharmajri, Tehsil Nalagarh, District Solan, H.P. w.e.f. 13.01.2022 without complying with the provisions of the Industrial Disputes Act, 1947 as alleged by the workman, is legal and justified? If not, what relief of reinstatement in services, past service benefits, leave encashment, overtime benefits and compensation etc. the above aggrieved workman is entitled to from the above management?”

2. The facts as emerges from the statement of claim are that the petitioner was appointed in the service of the respondent company at the first instance during the month of January, 2018 and she continued in service till her illegal termination from service on 13.01.2022. The petitioner was performing her duty sincerely with the respondent company, but her services were illegally terminated without any speaking orders on 13.01.2022 and further without any cogent reason and justification. The last drawn salary of the petitioner was Rs. 8,250/- per month. The termination of the petitioner is against the principles of natural justice. Neither any show cause notice was issued nor any inquiry was conducted by the respondent nor any chargesheet ever served upon her for committing any misconduct. Thus while terminating the services of the petitioner, respondent has violated the mandatory provisions of the Industrial Disputes Act, 1947 (hereinafter to be referred as the Act). The sudden termination from the service has made the petitioner unemployed since the date of her illegal termination on 13.01.2022 and she has not been employed anywhere till now. It has been prayed by the petitioner that she be reinstated in service with continuity, full back wages and other consequential benefits.

3. Notice of this claim petition was sent to the respondent, however despite service in accordance with law, the respondent did not appear and was proceeded against *ex-parte vide* order dated 24-09-2024.

4. Coming to evidence led by the petitioner, petitioner has stepped into the witness box as PW-1 and led her evidence by way of affidavit Ex. PW-1/A, which is just a reproduction of the averments as made in the petition. The petitioner has also tendered in evidence copy of demand notice Ex. PW-1/B and copy of reply filed by the respondent before Conciliation Officer as Ex. PW-1/C.

5. This is the entire evidence led by the petitioner.

6. So far as, the statement of the petitioner is concerned the same remained unrebutted as the respondent has not chosen to contest the claim filed by the petitioner and to lead evidence. It is the case of the petitioner that she was appointed by the respondent company in the month of January, 2018 and worked as such up till 13.01.2022 continuously. It is also the case of the

petitioner that she had completed 240 days in each calendar year and also in preceding twelve calendar months prior to her illegal termination.

7. Retrenchment under Section 2 (oo) of the Act, is comprehensive enough to include all types of terminations of service, unless the termination falls within any of the exceptional categories mentioned therein. In the instant case, the statement of the petitioner which goes un rebutted would establish on record that she was appointed by the respondent company in the month of January, 2018 and she worked continuously as such till 13.01.2022. She had completed 240 days in each calendar year, but the respondent has terminated the services of the petitioner orally. No action has been initiated against the petitioner by way of any disciplinary inquiry. Before, terminating the services of the petitioner, it was incumbent upon the respondent to have issued notice as provided in Section 25-F of the Act, which reads as under:—

“No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until :—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice;*
- (b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay for every completed year of continuous service or any part thereof in excess of six months; and*
- (c) notice in the prescribed manner is served on the appropriate Government for such authority as may be specified by the appropriate Government by notification in the Official Gazette”.*

8. So, in view of this enabling provision of the Act, no workman employed in any industry, who has been in “continuous service” for not less than one year, can be retrenched by the employer unless he/she has been given one month’s notice in writing indicating the reasons for retrenchment and that the period of notice has expired or the workman has been paid in lieu of such notice wages for the period of notice. Coming to the case in hand respondent has not complied with the provisions of Section 25-F of the Act and proceeded to terminate the services of the petitioner orally as such the termination of the petitioner from service w.e.f. 13.01.2022 is neither legal nor justified.

9. The second point which arises for consideration in this case is that whether there is any violation of Section 25-G of the ibid Act which reads as under:—

“25-G. Procedure for retrenchment.— *Where any workman in an industrial establishment, who is a citizen of India, is to be retrenched and she belongs to a particular category of workmen in that establishment, in the absence of any agreement between the employer and the workman in this behalf, the employer shall ordinarily retrench the workman who was the last person to be employed in that category, unless for reasons to be recorded the employer retrenches any other workman”.*

10. To invoke this provision, the workman is not required to prove that she had worked for 240 days preceding to the date of her termination but it is sufficient for her to plead and prove that while terminating her services, the employer violated the rules of “last come first go”. The petitioner has not made any averments in the statement of claim and also did not utter a single word

while appearing in the witness box that who are the newly engaged persons who were junior to her and when they joined the respondent company. Neither there is any evidence to establish on record that juniors have been retained by the respondent in violation of the provisions of Sections 25-G & 25-H of the Act nor there is anything on record to establish that the respondent has violated the principles of “last come first go”.

11. Now, the last question which has been raised by the petitioner through this claim petition is that she is not only entitled for reinstatement with seniority and continuity but also for back-wages. The petitioner in her statement of claim as well as in her evidence *vide* Ex. PW-1/A has averred that since the date of her oral termination, she is not gainfully employed anywhere. Though, it is settled that the entitlement of any employee to get re-instated does not necessarily and mechanically result in payment of full or partial back-wages which is independent of re-instatement and host of factors like the manner and method of selection and appointment, nature of appointment whether ad-hoc, short term, daily wage, temporary and permanent in character and length of service, which the workman had rendered with the employer, are required to be taken into consideration before passing any order for award of back-wages. This position was reiterated in **Kanpur Electricity Supply C. Ltd. Vs. Shamim Mirza (2009) 1 SCC 20** as well as in **Ritu Marbles Vs. Prabhakant Shukla (2010) 2 SCC 70**.

12. In the case in hand the averments as made in the claim goes unrebutted. The petitioner has shown that she was not gainfully employed anywhere. In **Kendriya Vidyalaya Sangathan Versus S.C. Sharma (2005) SCC 363**, the Hon’ble Apex Court held that the question of determining the entitlement of a person to back wages is concerned, the employee has to show that she was not gainfully employed. The initial burden is on the employee to prove that. The Hon’ble Apex Court in **National Gandhi Musuem Vs. Sudhir Sharma (2-21) 12 SCC 439** has considered this aspect and held as under:—

“Whether an employee after dismissal from service was gainfully employed is something, which is within his special knowledge. Considering the principle incorporated in Section 106 of the Indian Evidence Act, the initial burden is on the employee to come out with the case that he was not gainfully employed after the order of termination. It is a negative burden, however, in what manner the employee can discharge the said burden will depend upon peculiar facts and circumstances of each case. It all depends on the pleadings and evidence on record. Since it is a negative burden, in a given case, an assertion on oath by the employee that he was unemployed, may be sufficient compliance in the absence of any positive material brought on record by the employer.”

13. In view of the above judgments, since the petitioner has averred in the statement of claim as well as in her evidence Ex.PW1/A that she is not gainfully employed after her termination and respondent has not chosen to contest the claim, as such it is to be construed that respondent has nothing to say against this claim of the petitioner.

14. In view of my aforesaid discussion, the claim filed by the petitioner succeeds and is hereby allowed. The respondent is directed to re-engage the petitioner in service from 13.01.2022 with seniority and continuity along-with full back-wages. The payment of back-wages shall be payable within a period of two months from the date of announcement of this award failing which the same shall carry interest @ 9% per annum. The reference is answered in the aforesaid terms.

15. Let a copy of this award be communicated to the appropriate Government for publication in the official gazette. The file after due completion be consigned to records.

Announced in the open Court today on this 26th day of November, 2025.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Labour Court-cum-Industrial Tribunal,
Shimla, H.P.

**BEFORE ANUJA SOOD, PRESIDING JUDGE, HP INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, SHIMLA.**

Reference Number : 49 of 2025

Instituted on : 02-07-2025

Decided on : 29-11-2025

Santosh Devi w/o Sh. Inder Singh, r/o V.P.O Baru Sahib, Tehsil Sarahan, District Sirmaur,
H.P. ..Petitioner.

VERSUS

1. Amit Yadav, s/o Sh. Vijay Kumar Yadav (Prop.) M/s the Reliance Retail Ltd., Smart Point, Mamooore Complex, near Gurudwara, By pass Saproon, Solan, H.P.

2. The Occupier M/s Plus 360 FAHRENHEIT SOLUTIONS PVT. LTD, B-48, 3rd Floor, Naraina Industrial Area, Phase-II, New Delhi-110 028 ..Respondents.

Reference under Section 10 of the Industrial Disputes Act, 1947.

For the Petitioner : Nemo.

For the Respondent no. 1 : Nemo.

For the Respondent no. 2 : Sh. Rahul Verma, AR

AWARD

The reference given below has been received from the appropriate Government for adjudication:—

“Whether termination of the services Smt. Santosh Devi, w/o Sh. Inder Singh, R/O VPO Baru Sahib, Tehsil Sarahan, District Sirmour, H.P. by M/s the Reliance Retail Ltd., Smart Point, Mamooore Complex, near Gurudwara, By pass Saproon, Solan, HP through its Prop. Sh. Amit Yadav s/o Sh. Vijay Kumar Yadav who is registered as a contractor with the Occupier M/s Plus 360 FAHRENHEIT SOLUTIONS PVT. LTD., B-48, 3rd Floor, Naraina Industrial Area, Phase II, New Delhi-110028 w.e.f. 09.10.2024 without complying with the provisions of the Industrial Disputes Act, 1947, as alleged by the workman, is legal and justified? If not, what relief including reinstatement, seniority, amount of back wages, past

service benefits and compensation the above aggrieved workman is entitled to from the above management?"

2. Several notices were issued to the petitioner as well as respondent no. 1 but the same were returned back with the report that the addressee(s) has left the place without instruction. Notices were again issued to the petitioner as well as to respondent no. 1 for their appearance in the Court even for today, but the same were returned back with the report that the addressee(s) have left without any instruction. No other address or mobile number of the petitioner as well as respondent no. 1 are available with the Court.

3. It will be apt at this stage to take note of the relevant provisions of the Industrial Disputes Act, 1947 (hereinafter referred to as 'the Act' for brevity sake). Section 2 (b) of the Act defines the Award as under:—

"(b) "award" means an interim or a final determination of any industrial dispute or of any question relating thereto by any Labour Court, Industrial Tribunal or National Industrial Tribunal and includes an arbitration award made under Section 10A;"

4. Sub-section (1) of Section 11 of the Act provides that subject to any rules that may be made in this behalf, an arbitrator, a Board, Court, Labour Court, Tribunal or National Tribunal shall follow such procedure as the arbitrator or other authority concerned may think it fit. The Central Government has framed rules called "The Industrial Disputes (Central) Rules, 1957." Rule 10-B (9) reads thus:—

"10-B (9) In case any party defaults or fails to appear at any stage the Labour Court, Tribunal, or National Tribunal, as the case may be, may proceed with the reference ex-parte and decide the reference application in the absence of the defaulting party."

5. Rule 22 reads thus:—

"Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed ex-parte.— If without sufficient cause being shown, any party to the proceeding before a Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator fails to attend or to be represented, the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed, as if the party had duly attended or had been represented."

6. The State of Himachal Pradesh has also framed rules called "The Industrial Disputes Rules, 1974." Rule 25 thereof reads thus:—

"Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed ex-parte.—If without sufficient cause being shown, any party to the proceeding before a Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator fails to attend or to be represented, the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed, as if the party had duly attended or had been represented."

7. Rule 22 of the Industrial Disputes (Central) Rules, 1957 and Rule 25 of the Industrial Disputes Rules, 1974 authorize the adjudicating authority to proceed in the absence of a party. It creates a fiction which enables the Tribunal to presume that all the parties are present before it although, infact, it is not true, and thus make an *ex parte* award. This Tribunal in these circumstances has to imagine that the absentee workman is present and having done so, can give full effect to its imagination and carry it to its logical end. Under Rule 25, this Tribunal, thus, has to imagine that the workman is present, she is unwilling to file the statement of claim, adduce evidence or argue her case.

8. In the instant case, neither the parties nor any counsel had put in appearance before this Tribunal today. In these circumstances, the Tribunal can proceed and pass *ex parte* award on its merits.

9. As per the reference, it was required of the petitioner to plead and prove on record that the termination of her services *w.e.f.* 09.10.2024 was without complying with the provisions of the Act and, thus, illegal and unjustified. However, there is neither any pleading nor any evidence to this effect on record on the part of the petitioner/workman. At the risk of repetition it is reiterated that the petitioner/workman has not put in appearance before this Tribunal. In this view of the matter, the petitioner is not entitled to any relief. Accordingly, this reference is answered in the negative. Parties to bear their own costs.

10. The reference is answered in the aforesaid terms.

11. A copy of this Award be sent to the appropriate Government for necessary action at its end and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 29th day of November, 2025.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Labour Court-cum-Industrial Tribunal,
Shimla, H.P.

**IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE,
HP INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, SHIMLA.**

Reference No : 190 of 2017

Instituted on : 04-12-2017

Decided on : 29-11-2025

Ashok Kumar, s/o Sh. Rattan, r/o Village Lalsa, P.O. Dansa, Tehsil Rampur Bushehr,
District Shimla, H.P. ..Petitioner.

VERSUS

1. The Principal Secretary (Health) to the Government of Himachal Pradesh, Shimla-2
2. The Director of Health Service, Himachal Pradesh, Shimla-171009.
3. The Office Incharge, State Surveillance Medical Officer, N.P.S.P. Unit, State Health & Family Welfare Institution, Parimahal, Kasumpti, Shimla-9, H.P. ..Respondents.
Reference under Section 10 of the Industrial Disputes Act, 1947.

For the petitioner : Shri Naveen Awasthi, Adv.

For the respondents no.1 & 2 : Shri Sunil Sharma, DDA.

AWARD

The following reference was received for adjudication from the appropriate Government:—

“Whether termination of services of Sh. Ashok Kumar s/o Sh. Rattan, Village Lalsa, P.O. Dansa, Tehsil Rampur Bushehr, Distt Shimla (H.P.) *w.e.f.* 08.10.2015 by (i) The Director of Health Services, H.P. Shimla-9, (ii) The Office Incharge, State Surveillance Medical Officer, N.P.S.P. (National Polio Surveillance Project) Unit, State Health & Family Welfare Institution, Parimahal, Kasumpti, Shimla-9, without complying with the provisions of the Industrial Disputes Act, 1947, as alleged by workman, is legal and justified? If not, what relief including reinstatement, amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from above employers?”

2. The case of the petitioner as it emerges from the statement of claim is that the petitioner was employed by the respondents department as Class-IV in the month of Jan., 2009 in the office of SMO NPSP Unit Shimla and thereafter the services of the petitioner were terminated orally on 08.10.2015 without any reason or cause and without issuance of any notice as required under Section 25-F of the Industrial Disputes Act, 1947 (hereinafter to be referred as the Act) just to accommodate some other person in his place. The petitioner was not served with any notice or chargesheet before his termination despite the fact that he had completed 240 days in each calendar year. The petitioner has been representing to the respondents by way of various representation which have not been considered and no heed has been paid. The work and conduct of the petitioner was very satisfactory. There was no complaint on his part and he did his job with utmost devotion. It is averred by the petitioner that the petitioner had worked with the respondents *w.e.f.* Jan., 2009 to 08.10.2015, thus his oral termination by the respondents is in utter violation of the mandatory provisions of the Act. Petitioner has further averred that the respondents have not only violated the provisions of Section 25-F of the Act, but have also violated the provisions of Sections 25-G and 25-H of the Act as juniors to the petitioner have been retained whereas his services have been dispensed with illegally. Petitioner raised demand notice upon which conciliation was tried, but due to adamant attitude of respondents, conciliation failed and the matter was sent to this Court. It has been prayed through this claim that the petitioner be reinstated in service with seniority and continuity along-with back wages. Claim is duly supported with an affidavit of Shri Ashok Kumar, petitioner.

3. Notice of this claim was sent to the respondents. In pursuance thereof respondents no.1 & 2 contested the claim by filing separate reply, wherein the respondents no.1 & 2 took preliminary objections that the petition is not maintainable, petitioner has no locus standi to file and maintain the present petition, cause of action and the claim is bad for misjoinder of necessary parties. It was claimed that neither the petitioner was retained/engaged by the respondents no.1 & 2 nor his services have been terminated at any point of time by respondents no.1 & 2. Respondents no.1 & 2 have only provided a space to the respondent no.3 within their premises to run its office. On merits, it was emphatically denied by respondents no.1 & 2 that the petitioner was the employee of respondents no.1 & 2. Respondents no.1 & 2 claimed that the work of respondents no.1 & 2 is only carried out by the employees employed by them or who have been recruited under R&P Rules. It was reiterated that the respondents no.1 & 2 have no role to play in the matter of employment or termination of the petitioner and prayed for the dismissal of the claim petition.

4. Respondent no.3 also contested the claim by filing separate reply, whereby took preliminary objections that the office which has been impleaded as respondent no.3 is staffed by a person on contract with the World Health Organization (hereinafter to be referred as WHO).

Respondent no.3 has not been implemented in his personal capacity as such reply is being by WHO to whom the said office belong, this Court has no jurisdiction against respondent no.3, the claim is not maintainable against respondent no.3, the claim has been filed by the petitioner against respondent no.3 without complying with the mandatory process i.e. through the Ministry of External Affairs as such proceedings are liable to be dropped, the national polio Surveillance Project (hereinafter to be referred as NPSP) is a project commenced by WHO in consultation with the Government of India and in any event is not a separate legal entity from WHO and the WHO is neither owned nor funded by the Government of India. On merits, it was submitted that the petitioner was employed on temporary basis and no appointment letter had been issued to the petitioner and even no formal recruitment process had been conducted for the petitioner. The petitioner was providing service as a janitor for the NPSP by WHO acting through its surveillance Medical Officer. The role of the janitors was cleaning and providing office support and were paid on daily wage basis for actual number of days engaged for, in a month. The petitioner was engaged by the NSP unit Shimla purely on temporary basis and daily wage basis and he was never an employee of the WHO. The engagement of petitioner as Janitor does not confer any employer-employee relationship with the WHO-NPSP. It was averred that the petitioner had never been in continuous service and he used to take leave without prior approval. The petitioner would always come to office only for 5-6 days in a month and asks for full month salary and if somebody oppose him, then the petitioner would always threaten that person. It is averred that this Court has no jurisdiction to hear petition against WHO on account of longstanding immunity granted to WHO including immunity from all process of law in the country. It was reiterated that the complaint against respondent no.3 is not maintainable and prayed for the dismissal of the claim.

5. No rejoinder was filed.

6. On the pleadings, this Court formulated the following issues on 11-03-2019:—

1. Whether the termination of the petitioner *w.e.f.* 08.10.2015 is violative of provisions of Section 25-F, 25-G and 25-H of the Industrial Disputes Act 1947, as alleged. If so, its effects thereto? ..OPP.
2. Whether the reference is not maintainable, as the petitioner was working under an independent body, working under the aegis of the World Health Organization (WHO) and the respondent no. 3 is an organization started and run by the World Health Organization (WHO) and in terms of a United Nations Convention relating to the privileges and immunities of the specialized agencies, the same is immune from prosecution and as such the reference is not maintainable, as alleged. If so, its effect thereto? ..OPR.

3. Relief.

7. Thereafter, the parties to the lis were directed to adduce evidence in support of the issues so framed.

8. I have heard the Ld. Counsel for the parties and have also gone through the record with care.

9. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings thereon are as under:—

Issue No.1 : Redundant

Issue No.2 : Yes

Relief

: Reference is answered in negative as per operative part of the Award.

REASONS FOR FINDINGS**ISSUE NO.2.**

10. Issue no.2 has been taken up for determination first as it is the most contentious issue between the parties and the question of maintainability of petition against respondent no.3 also goes to the roots of the claim/reference against respondent no.3.

11. Coming to the evidence which has been led on record. Petitioner appeared in the witness box as PW-1 to depose that in the year 2009, he was appointed in NPSP-WHO as Class-IV employee, however, his services were terminated on 08.10.2015. No notice has been issued to him before termination and he was orally asked by administrative assistant Shri Anup Saxena not to report for duty after 08.10.2015. The respondent had engaged one Hem Chand in his place. He further deposed that presently he is working with a contractor.

12. During cross-examination on behalf of respondent no.3, he deposed that no appointment letter has been issued in his favour, however, he denied that he was purely working on daily wage basis. He denied that he used to proceed on leave without informing competent authority. He admitted that he is working with a contractor after his termination.

13. During cross-examination on behalf of respondents no.1 & 2, he admitted that respondents no.1 & 2 had not engaged him and he never worked with respondents no.1 & 2. He further admitted that respondents no.1 & 2 have not terminated his services. He showed ignorance that he had been appointed on the basis of a scheme run under the aegis of WHO.

14. This is the entire evidence which has been led by the petitioner.

15. Respondents no.1 & 2 have also led evidence and examined Shri Baldev Dogra Hostel Warden and Statistician SIHFW, Pari Mahal, Shimla as RW-1, who tendered in evidence his affidavit Ex. RW-1/A, which is just a reproduction of the averments as made in the reply filed by respondents no.1 & 2.

16. During cross-examination conducted by petitioner he denied that respondents no. 1 & 2 are the members/secretary to the programme NPSP. Self-stated that it is under WHO. He admitted that the office of NPSP is housed within the training institute at Pari Mahal. Self-sated that the respondents no.1 & 2 have provided space to run the programme.

17. This is the entire evidence which has been led by respondents no.1 & 2. Whereas *vide* separate statement Ld. Counsel for respondent no.3 closed the evidence on behalf of respondent no.3 without examining any witness.

18. So far as the claim of the petitioner is concerned, the petitioner himself has admitted this fact that he was not employed with respondents no.1 & 2 nor his services were terminated by respondents no.1 & 2, thus the claim of the petitioner only remains against respondent no.3. The petitioner has made office incharge, State Surveillance Medical Officer, NPSP Unit as respondent no.3, but the main plea taken by respondent no.3 is that the Polio Surveillance Project is run by WHO and in terms of United Nations Convention on Privileges and Immunities of the specialized Agencies Act, 1947 as extended to WHO, to which Union of India is a signatory and as per the applicability of various other standing laws, respondent no.3 has been granted an immunity from such proceedings and the issuance of the notice apparently on the face of it is in direct contravention of such legal position. The petitioner in his examination in chief has deposed that he

was appointed as Class-IV in NPSP-WHO, thus it stands established on record that the petitioner was working for NPSP-WHO. Even, RW-1 has cleared this fact that they have only provided space to respondent no.3 within their premises to run the programme i.e NPSP. This witness has categorically denied that respondents no.1 & 2 are the members/secretary to the programme NPSP.

19. The moot question which arises before this Court is whether this claim is maintainable against respondent no.3 or whether WHO with whom the petitioner was admittedly working is exempted on account of the United National Privileges and Immunities Act, 1947 as extended to WHO, from the proceedings before this Court.

20. At the time of arguments, it was argued by Ld. Counsel for respondent no.3 that the consent of the Central Government was necessary to include WHO in the legal proceedings under Article-III, Section 4 of the Convention on the privileges and Immunities of the specialized Agencies of UNO. It was further argued by Ld. counsel for respondent no.3 that a conjoint reading of notification dated 16.12.1948, issued by Government of India in extending the United National privileges and immunities Act, 1947 to WHO, respondent no.3 is enjoying immunity from every form of legal process. It was also argued by Ld. counsel for respondent no.3 that at no stage of proceedings, respondent no.3 has waived its immunity.

21. At this stage, it would be appropriate to go through the Convention on the Privileges and Immunities of the Specialized Agencies Act, 1947. Article-III, Section 4 of the said convention reads as under:—

“The specialized agencies, their property and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case they have expressly waived their immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution”.

22. The bare reading of notification dated 16.12.1948 makes it clear that the United National Privileges and Immunities Act, 1947 was extended to WHO as well. The Ld. Counsel for respondent no.3 has placed much reliance on the judgment of Hon’ble High Court of Dehli in case titled as **P.S Ochani Vs. WHO and Anr. 2001 SCC Online Del. 1284**, where the Hon’ble High Court of Delhi under paras 13,14 and 15 has held ;

“13. The notification dated 16th December, 1948 issued by Government of India extending the Act of 1947 to the defendant No. 1 reads as follows:—

"In exercise of the powers conferred by [Section 3](#) of the United Nations (Privileges and Immunities) Act, 1947 (XLVI OF 1947), the Central Government is pleased to direct that the provisions of the Schedule to the said Act shall apply mutates mutants to the (i) International Civil Aviation Organisation, (ii) the World Health Organization and (iii) International Labour Organisation and their representatives and officers."

14. As is apparent from the conjoint reading of the aforesaid provisions, defendant No. 1 enjoys immunity from every legal process except in so far as it has expressly waived its immunity. In the instant case, defendant No. 1 has made it clear that at no stage, it has waived its immunity.

15. Merely because the Central Government informed the plaintiff that it has requested defendant No. 1 to cooperate and assist the High Court in the matter does not tantamount to granting permission to the plaintiff to sue the defendant. Any immunity provided by any statutory provision cannot be waived or abridged either by requesting the

party to cooperate or assist the court nor can it be taken away except by way of legal authority. The fact that the Central Government accepted the position that [Section 86 CPC](#) is not applicable shows that neither has the Central Government granted permission to the plaintiff to sue defendant nor has the immunity been waived. The tenor of the communication dated 1.4.2001 rather demonstrates that the request of the plaintiff was not acceded to and rejected by the Central Government”.

23. Admittedly, WHO is international organization working under the aegis of United Nations and derives its status as a Specialized Agency and it is not a statutory body. It is also admitted fact that WHO is running Polio Surveillance Project NPSP Unit Parimahal Shimla as such in view of privileges as contended and discussed above, it was incumbent upon the petitioner to have taken the permission of Central Government to institute proceedings against WHO specially when these privileges at no stage of these proceedings were waived by respondent no.3. The petitioner has not led any evidence to establish that NPSP Scheme was financially, functionally and administratively dominated by the Government of India. NPSP Scheme is a complementary project Organization which is only assisted for implementation by the Government through a surveillance unit. WHO provides its services voluntarily to several countries thus it is not controlled by Government of India. Since, WHO has not been up by a statute thus its activities are not statutorily controlled. The petitioner has not established any legal right for relief against WHO.

24. At the time of arguments, Ld. Counsel for the petitioner has argued that Article-III, Section 4 only applies to property and assets of the units and is not applicable to the facts of this case. However, in view of the Judgment **2001 SCC Online Del. 1284 (supra)**, it is clear that respondent no.3 is enjoying immunity from every form of legal process except where such immunity expressly been waived off by WHO. Since, the immunity has not been waived by respondent no.3, I am of the humble opinion that the claim is not maintainable against respondent no.3. The issue in question is answered in favour of respondents and against the petitioner.

ISSUE No.1.

25. In view of my findings on issue no.2, above, since this Tribunal has come to the conclusion that the claim of the petitioner is not maintainable against respondent no.3 and while determining issue no.2, it has been established on record that the petitioner had claimed his employment with respondent no.3 and had also alleged his termination by respondent no.3 and since this Court/Tribunal has held that the claim filed by petitioner against respondent no.3 is not maintainable as such issue no.1 becomes redundant.

RELIEF

26. In view of my findings on issues no.1 & 2, above, the claim filed by the petitioner fails and is hereby dismissed by holding that the claim filed by the petitioner against respondent no.3 is not maintainable as such he is not entitled to any relief as claimed by him. The reference is answered in the aforesaid terms.

27. Let a copy of this award be communicated to the appropriate Government for publication in the official gazette. The file after due completion be tagged with the main case file.

Announced in the open Court today on this 29th Day of November, 2025.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Labour Court-cum-Industrial Tribunal ,
Shimla, H.P.

The Government has notified *vide* Letter No. PER(AP)-CF(3-2)/20 dated 16-07-2022 regarding reservation in promotion of 4% to Persons with Benchmark Disabilities.

The Department initiated process for promotion of Ward Sister to the post of Matron in the year 2023. The Department has sought ACRs and other relevant documents from the sub offices for promotion of Ward Sister to the post of Matron. Thereafter, the Department has conducted the DPC on date 30-08-2023, and the DPC has recommended names of 13 Ward Sister to the post of Matron, further, 32 names of Ward Sisters are kept in waiting panel and also 3 posts of Matron are kept vacant (02 posts of ST and 01 post of PwBD).

Thereafter, Smt. Reeta Guleria has claimed (through Hon'ble Court in CWP No. 6556/2023) for the promotion against PwBD category and submitted her documents alongwith certificate of Persons with Disability. Further, the Department examined her representation as per criteria of existing R&P Rules and she was found fit for promotion against the category of PwBD and she was promoted on review to the post of Matron on 30-10-2023, and Smt. Uma Devi, and Smt. Sushila Devi, have not claimed at that time promotion against PwBD even have not represented against the promotion of their junior namely Smt. Reeta Guleria. It is also added here that Smt. Uma Devi has been promoted on 13-02-2024 from waiting panel on the DPC recommendation dated 30-08-2023 against the post of Gen. Thereafter, the next DPC was conducted by the Department on 16-07-2024, that Smt. Sushma Devi has claimed against the post of PwBD quota and submitted her certificate of disability and considered as per existing R&P Rules accordingly was promoted on 01-08-2024 against PwBD quota.

Hence, the names of 03 Matrons are mentioned in the final seniority list of Matrons and 02 have been promoted against the quota of PwBD as mentioned above. Hence only one Smt. Reeta Guleria has completed her 02 years services after the promotion as Matron.

In the Court of Sub-Divisional Magistrate, Sujanpur, Distt. Hamirpur (H. P.)

Yash Sadyal s/o Sh. Vipin Kumar (Minor) through his mother Smt. Priya Sadyal w/o Sh. Vipin Kumar, r/o V.P.O. Chamiana, Tehsil Sujanpur, District Hamirpur, H.P. . .Applicant.

Versus

The General Public . .Respondent.

Application for publication in Rajpatra (State Gazzete Notification) regarding the change/correct the name of applicant as Yash Sadyal instead of Yes and his date of birth is 05-07-2010 instead of 24-07-2010.

Yash Sadyal s/o Sh. Vipin Kumar (Minor) through his mother Smt. Priya Sadyal w/o Sh. Vipin Kumar, r/o VPO Chamiana, Tehsil Sujanpur, District Hamirpur, H.P. has submitted an application for correction of his name & date of birth as per the contents of application the applicant has submitted that his correct name is Yash Sadyal instead of Yes and his correct date of birth is 05-07-2010 instead of 24-07-2010 and his name is wrongly entered as Yes in his aadhar Card and his date of birth is also wrongly entered in his Aadhar Card as 24-07-2010. That the applicant intends to correct his name and date of birth in his Aadhar Card. The applicant has submitted relevant documents in the support of his claim. The applicant is advised to let his name & date of birth published in the Govt.Gazette of H.P.

Therefore, the general public is hereby informed through this notice that any person who has any objections regarding this rectification in the name & date of birth of applicant then he can file the objection personally or in writing before this court on or before 07-02-2026. The objection received after 07-02-2026 shall not be entertained.

Issued today on 12-01-2026 under my hand and seal of the court.

Seal.

Sd/-

Sub-Divisional Magistrate,
Sujanpur, District Hamirpur (H.P.).

ब अदालत कार्यकारी दण्डाधिकारी (नायब तहसीलदार) जयसिंहपुर, जिला कांगड़ा (हि0प्र0)

श्रीमती सुरेश पत्नी धनी राम, निवासी हलों कलां, डा0 मोलग, तहसील जयसिंहपुर, जिला कांगड़ा, हि0प्र0।

बनाम

1. आम जनता ग्राम पंचायत सरी, तहसील जयसिंहपुर, जिला कांगड़ा, हि0प्र0।
2. आम जनता हि0प्र0।

विषय.—प्रार्थना—पत्र अन्तर्गत जेर धारा 8(4) विवाह पंजीकरण अधिनियम, 1996.

उपरोक्त विषय के संदर्भ में प्रार्थिया श्रीमती सुरेश पत्नी धनी राम, निवासी हलों कलां, डा0 मोलग, तहसील जयसिंहपुर ने प्रार्थना—पत्र मय अन्य दस्तावेज पेश करके प्रार्थना की है उसका विवाह दिनांक 22-07-1981 को हिन्दू रीति—रिवाज के अनुसार ग्राम पंचायत सरी में श्री धनी राम पुत्र तुल्सी राम, निवासी महाल हलों कलां, तहसील जयसिंहपुर हि0प्र0 में हुआ था। प्रार्थिया के पति श्री धनी राम पुत्र तुल्सी राम की मृत्यु दिनांक 04-06-2012 को हो चुकी है लेकिन वह अनभिज्ञता के कारण इस का इन्द्राज ग्राम पंचायत सरी में नहीं करवा सके। जिसे प्रार्थिया अब करवाना चाहती है।

अतः सर्व—साधारण को इस मुश्त्री/मुनादी के माध्यम से सूचित किया जाता है कि यदि किसी व्यक्ति को श्रीमती सुरेश व धनी राम के विवाह दिनांक 22-07-1981 के पंजीकरण बारे कोई उजर व एतराज हो तो इस अदालत में असालतन या वकालतन हाजिर होकर अपना उजर या एतराज दिनांक 17-02-2026 को पेश कर सकता है। हाजिर न होने की सूरत में नियमानुसार पंजीकरण के आदेश पारित कर दिए जाएंगे।

यह इश्तहार आज दिनांक 13-01-2026 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित /—
कार्यकारी दण्डाधिकारी,
जयसिंहपुर, जिला कांगड़ा (हि0प्र0)।

ब अदालत कार्यकारी दण्डाधिकारी, तहसील जयसिंहपुर, जिला कांगड़ा (हि0प्र0)

किस्म मुकद्दमा : मृत्यु पंजीकरण

तारीख पेशी : 25-02-2025

शौकी राम पुत्र श्री नारायण दास, पुत्र दया राम, गांव चम्बी, डाकघर हलेड़, तहसील जयसिंहपुर, जिला कांगड़ा (हि0प्र0)

बनाम

आम जनता

प्रतिवादीगण।

विषय.—इश्तहार अखबारी बराये मृत्यु दर्ज करने बारे।

शौकी राम पुत्र श्री नारायण दास, पुत्र दया राम, गांव चम्बी, डाकघर हलेड़, तहसील जयसिंहपुर, जिला कांगड़ा (हि0प्र0) ने स्वयं हाजिर होकर प्रार्थना-पत्र हल्की ब्यान पेश किया व आवेदन किया है कि मेरी दादी श्रीमती मति देवी पत्नी स्व० श्री दया राम, गांव चम्बी, डाकघर हलेड़, तहसील जयसिंहपुर, जिला कांगड़ा हि0प्र0 की मृत्यु दिनांक 15-03-1995 में हुई है। इस सन्दर्भ में प्रार्थी ने अपना शपथ-पत्र भी संलग्न किया है, परन्तु अज्ञानतावश प्रार्थी के घर वालों ने मृत्यु पंजीकरण स्थानीय ग्राम पंचायत चम्बी के अभिलेख में दर्ज न करवाया है। अतः प्रार्थी न्यायालय के माध्यम से अपनी दादी की मृत्यु का पंजीकरण करने का आदेश स्थानीय ग्राम पंचायत चम्बी को जारी करवाना चाहता है।

अतः प्रार्थी के आवेदन को स्वीकार करते हुए इस इश्तहार मुश्त्री मुनादी व चस्पांगी के माध्यम से प्रतिवादी आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त प्रार्थी की दादी श्रीमती मति देवी पत्नी स्व० श्री दया राम, गांव चम्बी, डाकघर हलेड़, तहसील जयसिंहपुर, जिला कांगड़ा हि0प्र0 की मृत्यु दिनांक 15-03-1995 के पंजीकरण बारे कोई उजर या एतराज हो तो वह असालतन या वकालतन तारीख पेशी 25-02-2026 को दोपहर 02.00 बजे हाजिर अदालत होकर अपना उजर या एतराज पेश कर सकता है अन्यथा बाद गुजरने तारीख पेशी किसी किस्म का उजर एवं एतराज नहीं सुना जावेगा व उपरोक्त मृत्यु पंजीकरण दर्ज करने का आदेश सम्बन्धित स्थानीय पंजीकार, ग्राम पंचायत सचिव चम्बी को जारी कर दिए जावेगा।

यह इश्तहार मोहर अदालत व मेरे हस्ताक्षर से आज दिनांक 24-12-2025 को जारी हुआ।

मोहर।

हस्ताक्षरित /—
कार्यकारी दण्डाधिकारी,
जयसिंहपुर, जिला कांगड़ा (हि0प्र0)।

ब अदालत कार्यकारी दण्डाधिकारी, देहरा, तहसील देहरा, जिला कांगड़ा (हि0प्र0)

ब मुकद्दमा :

लेख राज पुत्र वीर सिंह, वासी गांव व डाकघर बरवाड़ा, तहसील देहरा, जिला कांगड़ा (हि0प्र0)

बनाम

समस्त आम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु अधिनियम, 1966.

नोटिस (मुश्त्री मुनादी) बनाम आम जनता।

प्रार्थी लेख राज पुत्र वीर सिंह, वासी गांव व डाकघर बरवाड़ा, तहसील देहरा, जिला कांगड़ा (हि0प्र0) ने अपनी बेटी एलीना की जन्म तिथि जोकि 31-05-2024 है, के पंजीकरण हेतु अधोहस्ताक्षरी की अदालत में आवेदन किया है जोकि जेरे समायत है। यदि उक्त प्रार्थी की बेटी की जन्म तिथि को दर्ज करने बारे किसी को भी आपत्ति या एतराज हो तो व प्रकाशन की तिथि से 30 दिन के भीतर अपने उजर/एतराज स्वयं अथवा किसी वांछित के माध्यम से अधोहस्ताक्षरी की अदालत में दर्ज करवा सकता है। किसी आपत्ति/एतराज के न होने की स्थिति में प्रार्थिया की प्रार्थना को स्वीकार किया जाएगा।

मोहर।

हस्ताक्षरित/—
कार्यकारी दण्डाधिकारी देहरा,
तहसील देहरा, जिला कांगड़ा (हि0प्र0)।

ब अदालत कार्यकारी दण्डाधिकारी, देहरा, तहसील देहरा, जिला कांगड़ा (हि0प्र0)

ब मुकद्दमा :

संध्या देवी पुत्री रांझा राम, वासी गांव दयाल, डाकघर नेहरन पुखर, तहसील देहरा, जिला कांगड़ा (हि0 प्र0)

बनाम

समस्त आम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1966.

नोटिस (मुश्त्री मुनादी) बनाम आम जनता।

प्रार्थिया संध्या देवी पुत्री रांझा राम, वासी गांव दयाल, डाकघर नेहरन पुखर, तहसील देहरा, जिला कांगड़ा (हि0 प्र0) ने अपनी जन्म तिथि जोकि 08-04-1954 है, के पंजीकरण हेतु अधोहस्ताक्षरी की अदालत में आवेदन किया है जोकि जेरे समायत है। यदि उक्त प्रार्थिया की जन्म तिथि को दर्ज करने बारे किसी को भी आपत्ति या एतराज हो तो व प्रकाशन की तिथि से 30 दिन के भीतर अपने उजर/एतराज स्वयं अथवा किसी वांछित के माध्यम से अधोहस्ताक्षरी की अदालत में दर्ज करवा सकता है। किसी आपत्ति/एतराज के न होने की स्थिति में प्रार्थिया की प्रार्थना को स्वीकार किया जाएगा।

मोहर।

हस्ताक्षरित/—
कार्यकारी दण्डाधिकारी देहरा,
तहसील देहरा, जिला कांगड़ा (हि0प्र0)।

ब अदालत कार्यकारी दण्डाधिकारी, देहरा, तहसील देहरा, जिला कांगड़ा (हि0प्र0)

ब मुकदमा :

संध्या बेगम पुत्री करतार चन्द, वासी मोहाल धवाला खास, मौजा धवाला, तहसील देहरा, जिला कांगड़ा (हि0प्र0)

बनाम

समस्त आम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1966.

नोटिस (मुश्री मुनादी) बनाम आम जनता।

प्रार्थिया बेगम पुत्री करतार चन्द, वासी मोहाल धवाला खास, मौजा धवाला, तहसील देहरा, जिला कांगड़ा (हि0प्र0) ने अपनी जन्म तिथि जोकि 02-01-1963 है, के पंजीकरण हेतु अधोहस्ताक्षरी की अदालत में आवेदन किया है जोकि जेरे समायत है। यदि उक्त प्रार्थिया की जन्म तिथि को दर्ज करने बारे किसी को भी आपत्ति या एतराज हो तो व प्रकाशन की तिथि से 30 दिन के भीतर अपने उजर/एतराज स्वयं अथवा किसी वांछित के माध्यम से अधोहस्ताक्षरी की अदालत में दर्ज करवा सकता है। किसी आपत्ति/एतराज के न होने की स्थिति में प्रार्थिया की प्रार्थना को स्वीकार किया जाएगा।

मोहर।

हस्ताक्षरित/—
कार्यकारी दण्डाधिकारी देहरा,
तहसील देहरा, जिला कांगड़ा (हि0प्र0)।

ब अदालत कार्यकारी दण्डाधिकारी, देहरा, तहसील देहरा, जिला कांगड़ा (हि0प्र0)

ब मुकदमा :

शरीफ मोहम्मद पुत्र शेर दीन, वासी गांव व डाकघर बड़ा, तहसील देहरा, जिला कांगड़ा (हि0प्र0)

बनाम

समस्त आम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1966.

नोटिस (मुश्री मुनादी) बनाम आम जनता।

प्रार्थी शरीफ मोहम्मद पुत्र शेर दीन, वासी गांव व डाकघर बड़ा, तहसील देहरा, जिला कांगड़ा (हि0प्र0) ने अपनी जन्म तिथि जोकि 04-11-2012 है, के पंजीकरण हेतु अधोहस्ताक्षरी की अदालत में आवेदन किया है जोकि जेरे समायत है। यदि उक्त प्रार्थिया की जन्म तिथि को दर्ज करने बारे किसी को भी आपत्ति या एतराज हो तो व प्रकाशन की तिथि से 30 दिन के भीतर अपने उजर/एतराज स्वयं अथवा किसी वांछित

के माध्यम से अधोहस्ताक्षरी की अदालत में दर्ज करवा सकता है। किसी आपत्ति/एतराज के न होने की स्थिति में प्रार्थिया की प्रार्थना को स्वीकार किया जाएगा।

मोहर।

हस्ताक्षरित/—
कार्यकारी दण्डाधिकारी देहरा,
तहसील देहरा, जिला कांगड़ा (हि0प्र0)।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी एवं नायब तहसीलदार, उप-तहसील कोटला,
जिला कांगड़ा (हि0प्र0)

मिसल नं० :
01/RNTK

किस्म मुकद्दमा :
नाम दुरुस्ती

तारीख पेशी :
27-01-2026

विक्रम जीत पुत्र अमर सिंह पुत्र गुलावा, निवासी महाल भरनोली, मौजा डोल, उप-तहसील कोटला,
जिला कांगड़ा, हि0 प्र0।

बनाम

आम जनता

प्रार्थी विक्रम जीत ने इस अदालत में अपने नाम की दुरुस्ती बारे प्रार्थना-पत्र दिया है। क्योंकि राजस्व रिकॉर्ड महाल भरनोली में प्रार्थी का नाम विक्रम सिंह दर्ज है। जबकि तमाम रिकॉर्ड में विक्रम जीत दर्ज है। इस बारे प्रार्थी ने बतौर सबूत पर्चा जमाबन्दी वर्ष 2022-23 महाल भरनोली, आधार कार्ड, परिवार रजिस्टर नकल की प्रति, हल्फिया ब्यान साथ संलग्न किये है।

अतः इस इश्तहार के माध्यम से सर्वसाधारण को बजरिया इश्तहार सूचित किया जाता है कि प्रार्थी का नाम विक्रम सिंह से विक्रम जीत किये जाने बारे यदि किसी को कोई आपत्ति हो तो वह असालतन या वकालतन अधोहस्ताक्षरी की अदालत में दिनांक 27-01-2026 को आकर अपना एतराज दर्ज करवा सकता है। हाजिर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जाकर नाम दुरुस्ती बारे आदेश पारित कर दिये जायेंगे। इसके उपरान्त कोई एतराज न सुना जायेगा।

आज दिनांक 01-01-2026 को हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी एवं नायब तहसीलदार,
उप-तहसील कोटला, जिला कांगड़ा (हि0प्र0)।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला,
जिला कांगड़ा (हि0प्र0)

मुकद्दमा नं० : जन्म पंजीकरण

Mr./Mrs./Ms. Asha Devi w/o Mehar Singh s/o Late Sh. Litru Ram, r/o Ward No. 17, Village & Post Office Sidhbari, Tehsil Dharamshala, District Kangra (H.P.).

/s.

1. The General Public.
2. The Registrar Birth & Death, C.M.O. Kangra at Dharamshala.
3. The Commissioner Municipal Corporation Dharamshala.

विषय.—प्रार्थना-पत्र जेरे धारा 13(3) हिमाचल प्रदेश जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

Mr./Mrs./Ms. Asha Devi w/o Mehar Singh s/o Late Sh. Litru Ram, r/o Ward No. 17, Village & Post Office Sidhbari, Tehsil Dharamshala, District Kangra (H.P.) ने इस अदालत में प्रार्थना-पत्र सहित मुकद्दमा दायर किया है कि उनकी बेटी Depika Bharti d/o Mehar Singh s/o Late Sh. Litru Ram का जन्म दिनांक 04-11-1991 को वार्ड नंबर 17, गांव व डा0 सिद्धबाड़ी, तहसील धर्मशाला में हुआ है परन्तु एम0 सी0 धर्मशाला/संबंधित ग्राम पंचायत में जन्म/मृत्यु रजिस्टर में पंजीकृत न है अतः जन्म तिथि पंजीकृत किये जाने के आदेश दिये जायें। इस नोटिस इश्तहार/मुश्ट्री मुनादी के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को भी उपरोक्त Deepika Bharti d/o Mehar Singh s/o Late Sh. Litru Ram की जन्म तिथि पंजीकृत किये जाने बारे कोई एतराज हो तो वह हमारी अदालत में दिनांक 10-02-2026 को असालतन या वकालतन हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जायेंगे।

आज दिनांक 09-01-2026 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

हस्ताक्षरित/—
कार्यकारी दण्डाधिकारी,
धर्मशाला, जिला कांगड़ा (हि0प्र0)।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला,
जिला कांगड़ा (हि0प्र0)

मुकद्दमा नं0 : जन्म पंजीकरण

Mr./Mrs./Ms. Asha Devi w/o Mehar Singh s/o Late Sh. Litru Ram, r/o Ward No. 17, Village & Post Office Sidhbari, Tehsil Dharamshala, District Kangra (H.P.).

/s.

1. The General Public.
2. The Registrar Birth & Death, C.M.O. Kangra at Dharamshala.
3. The Commissioner Municipal Corporation Dharamshala.

विषय.—प्रार्थना-पत्र जेरे धारा 13(3) हिमाचल प्रदेश पंजीकरण अधिनियम, 1969.

Mr./Mrs./Ms. Asha Devi w/o Mehar Singh s/o Late Sh. Litru Ram, r/o Ward No. 17, Village & Post Office Sidhbari, Tehsil Dharamshala, District Kangra (H.P.) ने इस अदालत में प्रार्थना-पत्र सहित मुकद्दमा दायर किया है कि उनकी बेटी Deeksha Bharti d/o Mehar Singh s/o Late Sh. Litru Ram का जन्म दिनांक 04-10-1995 को वार्ड नंबर 17, गांव व डा0 सिद्धबाड़ी, तहसील धर्मशाला में हुआ है परन्तु एम0 सी0 धर्मशाला/संबंधित ग्राम पंचायत में जन्म/मृत्यु रजिस्टर में पंजीकृत न है अतः जन्म तिथि पंजीकृत किये जाने के आदेश दिये जायें। इस नोटिस इश्तहार/मुश्ट्री मुनादी के द्वारा समस्त जनता को तथा

सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को भी उपरोक्त Deeksha Bharti d/o Mehar Singh s/o Late Sh. Litru Ram की जन्म तिथि पंजीकृत किये जाने बारे कोई एतराज हो तो वह हमारी अदालत में दिनांक 10-02-2026 को असालतन या वकालतन हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जायेंगे।

आज दिनांक 09-01-2026 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

हस्ताक्षरित/—
कार्यकारी दण्डाधिकारी,
धर्मशाला, जिला कांगड़ा (हि0प्र0)।

ब अदालत कार्यकारी दण्डाधिकारी एवं नायब तहसीलदार आलमपुर, जिला कांगड़ा (हि0प्र0)

किस्म मुकद्दमा : जन्म एवं मृत्यु पंजीकरण

तारीख पेशी : 16-02-2026

अरविन्द कुमार पुत्र सफरी राम, निवासी महाल सद्दा, डाकघर लाहडू, मौजा एवं उप-तहसील आलमपुर, जिला कांगड़ा, हि0प्र0 प्रार्थी।

बनाम

आम जनता

प्रतिवादी।

विषय.—जन्म व मृत्यु पंजीकरण अधिनियम, 1969 की धारा 13(3) के तहत जन्म पंजीकरण हेतु प्रार्थना-पत्र।

इश्तहार मुश्री मुनादी:

प्रार्थी अरविन्द कुमार पुत्र सफरी राम, निवासी महाल सद्दा, डाकघर लाहडू, मौजा एवं उप-तहसील आलमपुर, जिला कांगड़ा, हि0प्र0 ने इस अदालत में स्वयं हाजिर होकर प्रार्थना-पत्र मय ब्यान हल्फिया पेश किया है व आवेदन किया है कि उनका जन्म दिनांक 10-01-1979 को गांव सद्दा, ग्राम पंचायत लाहडू में हुआ था, परन्तु अज्ञानतावश मेरे जन्म का पंजीकरण मेरे माता-पिता द्वारा स्थानीय ग्राम पंचायत अभिलेख में दर्ज न करवाया गया है। अतः प्रार्थी इस न्यायालय के माध्यम से जन्म पंजीकरण करने के आदेश स्थानीय ग्राम पंचायत लाहडू को जारी करवाना चाहता है।

अतः प्रार्थी का आवेदन स्वीकार करते हुए इस इश्तहार मुश्री मुनादी व चस्पांगी के माध्यम से प्रतिवादी आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति या संस्था को उक्त जन्म पंजीकरण बारे किसी प्रकार की आपत्ति या एतराज हो तो वह असालतन या वकालतन तारीख पेशी दिनांक 16-02-2026 को अदालत में हाजिर होकर उजर या एतराज पेश कर सकता है अन्यथा बाद गुजरने तारीख पेशी किसी भी किस्म का उजर या एतराज न सुना जाएगा व उक्त जन्म पंजीकरण के आदेश स्थानीय ग्राम पंचायत जन्म व मृत्यु, ग्राम पंचायत लाहडू को पारित कर दिए जाएंगे।

यह इश्तहार मोहर अदालत व मेरे हस्ताक्षर से आज दिनांक 16-12-2025 को जारी हुआ।

मोहर।

हस्ताक्षरित/—
कार्यकारी दण्डाधिकारी एवं नायब तहसीलदार,
आलमपुर, जिला कांगड़ा (हि0प्र0)।

**In the Court of Laxman Kanet (HAS), Marriage Officer-Cum-Sub-Divisional Magistrate
Anni, District Kullu, H.P.**

In the matter of :

1. Sh. Vinod Kumar s/o Sh. Prem Chand, r/o Village Charmatan, P.O. Khun, Tehsil Anni,
Distt. Kullu, H.P.

2. Miss Mingmar Dikki d/o Sh. Dawa Sherpa, r/o Village, P.O. & Tehsil Sainj, Distt. Kullu,
H.P. . . Applicants.

Versus

General Public

. . Respondent.

Subject.—Notice under section 5 of the Special Marriage Act, 1954.

Whereas, the applicants have moved an application in the court of the undersigned accompanying affidavits under section 5 of Special Marriage Act, 1954 for registration of their intended marriage.

Therefore, the general public is hereby informed through this notice that if anyone has any objection regarding registration of marriage of Sh. Vinod Kumar and Miss Mingmar Dikki he/she/they may file his/her/their objection on or before 16-02-2026 in the office of the undersigned. In case no objection is received *ex-parte* order will be passed for registration of the marriage.

Issued under my hand and seal today on 13-01-2026.

Seal.

Sd/-

*Marriage Officer-cum-sub-Divisional Magistrate,
Anni, District Kullu (H.P.).*

**In the Court of Laxman Kanet (HAS), Marriage Officer-cum-Sub-Divisional Magistrate
Anni, District Kullu, H.P.**

In the matter of :

1. Sh. Naresh Kumar s/o Sh. Gumat Ram, r/o Village Kalow, P.O. Chowai, Tehsil Anni,
Distt. Kullu, H.P.

2. Miss Priti Sharma d/o Sh. Lal Chand, r/o Village & P.O. Shagoti, Tehsil Theog, Distt.
Kullu, H.P. . . Applicants.

Versus

General Public

. . Respondent.

Subject.—Notice under section 5 of the Special Marriage Act, 1954.

Whereas, the applicants have moved an application in the court of the undersigned accompanying affidavits under section 5 of Special Marriage Act, 1954 for registration of their intended marriage.

Therefore, the general public is hereby informed through this notice that if anyone has any objection regarding registration of marriage of Sh. Naresh Kumar and Miss Preeti Sharma he/she/they may file his/her/their objection on or before 16-02-2026 in the office of the undersigned. In case no objection is received *ex-parte* orders will be passed for registration of the marriage.

Issued under my hand and seal today on 13-01-2026.

Seal.

Sd/-
*Marriage Officer-cum-sub-Divisional Magistrate,
Anni, District Kullu (H.P.).*

In the Court of Executive Magistrate, Sundernagar, District Mandi (H. P.)

In the matter of :

Case No. 05/NT/2026

Date of hearing : 15-02-2026

Smt. Arsada Bibi d/o Gulam Rasool, r/o Village Dinak, P.O. Kanaid, Tehsil Sundernagar,
District Mandi, H.P. . . *Applicant.*

Versus

General Public

. . *Respondent.*

Subject.—Registration of delayed birth of the applicant.

PUBLIC NOTICE

Whereas, an application has been received from Smt. Arsada Bibi d/o Gulam Rasool, r/o Village Dinak, P.O. Kanaid, Tehsil Sundernagar, District Mandi, H.P. seeking registration of her delayed birth event stated to have been born on 19-04-1969 at Village Dinak, P.O. Kanaid, Gram Panchayat Kanaid which could not be entered/registered within the prescribed period under the Registration of Birth and Death Act, 1969;

And whereas the said applicant has prayed for registration of the said birth at this belated stage.

Now, therefore, notice is hereby given to the general public that if any person has any objection or information regarding the facts stated in the said application he/she may submit the same in writing alongwith supporting evidence, if any, to the undersigned on or before 15-02-2026.

In case no objection is received within the stipulated period, it shall be presumed that no one has any objection and the matter shall be proceeded with further as per law.

Issued under my hand and seal on this day of 10th of January, 2026.

Seal.

Sd/-
*Executive Magistrate,
Sundernagar, District Mandi (H.P.).*

In the Court of Executive Magistrate, Sundernagar, District Mandi (H. P.)

In the matter of :

Case No. 07/NT/2026

Date of hearing : 13-02-2026

Smt. Suraia Bibi d/o Sh. Tuffail Mohammad, r/o Village Raru, P.O. Upper Behli, Tehsil Sundernagar, District Mandi, H.P. . . Applicant.

Versus

General Public

. . Respondent.

Subject.—Registration of delayed birth of the applicant.

PUBLIC NOTICE

Whereas, an application has been received from Smt. Suraia Bibi d/o Sh. Tuffail Mohammad, r/o Village Raru, P.O. Upper Behli, Tehsil Sundernagar, District Mandi, H.P. seeking registration of her delayed birth event stated to have been born on 15-02-1975 at Village Raru, P.O. Upper Behli, Gram Panchayat Kanaid which could not be entered/registered within the prescribed period under the Registration of Birth and Death Act, 1969;

And whereas, the said applicant has prayed for registration of the said birth at this belated stage.

Now, therefore, notice is hereby given to the general public that if any person has any objection or information regarding the facts stated in the said application he/she may submit the same in writing alongwith supporting evidence, if any, to the undersigned on or before 13-02-2026.

In case no objection is received within the stipulated period, it shall be presumed that no one has any objection and the matter shall be proceeded with further as per law.

Issued under my hand and seal on this day of 10th of January, 2026.

Seal.

Sd/-
*Executive Magistrate,
Sundernagar, District Mandi (H.P.).*

In the Court of Executive Magistrate, Sundernagar, District Mandi (H. P.)

In the matter of :

Case No. 08/NT/2026

Date of hearing : 13-02-2026

Smt. Samia Kausar d/o Sh. Aslam Mohammad, r/o Village Raru, P.O. Upper Behli, Tehsil Sundernagar, District Mandi, H.P. . . *Applicant.*

Versus

General Public

. . *Respondent.*

Subject.—Registration of delayed birth of the applicant.

PUBLIC NOTICE

Whereas, an application has been received from Smt. Samia Kausar d/o Sh. Aslam Mohammad, r/o Village Raru, P.O. Upper Behli, Tehsil Sundernagar, District Mandi, H.P. seeking registration of her delayed birth event stated to have been born on 16-06-1986 at Village Raru, P.O. Upper Behli, Gram Panchayat Dugrain which could not be entered/registered within the prescribed period under the Registration of Birth and Death Act, 1969.

And whereas, the said applicant has prayed for registration of the said birth at this belated stage.

Now, therefore, notice is hereby given to the general public that if any person has any objection or information regarding the facts stated in the said application he/she may submit the same in writing alongwith supporting evidence, if any, to the undersigned on or before 13-02-2026.

In case no objection is received within the stipulated period, it shall be presumed that no one has any objection and the matter shall be proceeded with further as per law.

Issued under my hand and seal on this day of 10th of January, 2026.

Seal.

Sd/-

*Executive Magistrate,
Sundernagar, District Mandi (H.P.).*

In the Court of Executive Magistrate, Sundernagar, District Mandi (H. P.)

In the matter of :

Sh. Liyakat Ali s/o Sh. Sher Ali, r/o Village Dinak, P.O. Kanaid, Tehsil Sundernagar, District Mandi, H.P. . . *Applicant.*

Versus

General Public

. . Respondent.

Subject.—Registration of delayed birth of the applicant.

PUBLIC NOTICE

Whereas, an application has been received from Sh. Liyakat Ali s/o Sh. Sher Ali, r/o Village Dinak, P.O. Kanaid, Tehsil Sundernagar, District Mandi, H.P. seeking registration of his delayed birth event stated to have been born on 15-06-1990 at Village Dinak, P.O. Kanaid, Gram Panchayat Mahadev which could not be entered/registered within the prescribed period under the Registration of Birth and Death Act, 1969.

And whereas, the said applicant has prayed for registration of the said birth at this belated stage;

Now, therefore, notice is hereby given to the General Public that if any person has any objection or information regarding the facts stated in the said application he/she may submit the same in writing alongwith supporting evidence, if any, to the undersigned on or before 09-02-2026.

In case no objection is received within the stipulated period, it shall be presumed that no one has any objection and the matter shall be proceeded with further as per law.

Issued under my hand and seal on this day of 8th of January, 2026.

Seal.

Sd/-

*Executive Magistrate,
Sundernagar, District Mandi (H.P.).*

In the Court of Executive Magistrate, Sundernagar, District Mandi (H. P.)

In the matter of :

Case No. 09/NT/2026

Date of hearing : 13-02-2026

Sh. Sadiq Mohammed s/o Sh. Tuffail Mohammed, r/o Village Raru, P.O. Upper Behli, Tehsil Sundernagar, District Mandi, H.P. . . Applicant.

Versus

General Public

. . Respondent.

Subject.—Registration of delayed birth of the applicant.

PUBLIC NOTICE

Whereas, an application has been received from Sh. Sadiq Mohammed s/o Sh. Tuffail Mohammed, r/o Village Raru, P.O. Upper Behli, Tehsil Sundernagar, District Mandi, H.P. seeking

registration of his delayed birth event stated to have been born on 04-03-1970 at Village Dinak, P.O. Kanaid, Gram Panchayat Kanaid which could not be entered/registered within the prescribed period under the Registration of Birth and Death Act, 1969.

And whereas, the said applicant has prayed for registration of the said birth at this belated stage.

Now, therefore, notice is hereby given to the general public that if any person has any objection or information regarding the facts stated in the said application he/she may submit the same in writing alongwith supporting evidence, if any, to the undersigned on or before 13-02-2026.

In case no objection is received within the stipulated period, it shall be presumed that no one has any objection and the matter shall be proceeded with further as per law.

Issued under my hand and seal on this day of 10th of January, 2026.

Seal.

Sd/-
*Executive Magistrate,
Sundernagar, District Mandi (H.P.).*

In the Court of Executive Magistrate, Sundernagar, District Mandi (H. P.)

In the matter of :

Case No. 06/NT/2026

Date of hearing : 15-02-2026

Sh. Ahsan Ali s/o Sh. Kutub Deen, r/o Village Dinak, P.O. Kanaid, Tehsil Sundernagar,
District Mandi, H.P. . . *Applicant.*

Versus

General Public

. . *Respondent.*

Subject.—Registration of delayed birth of the applicant.

PUBLIC NOTICE

Whereas, an application has been received from Sh. Ahsan Ali s/o Sh. Kutub Deen, r/o Village Dinak, P.O. Kanaid, Tehsil Sundernagar, District Mandi, H.P. seeking registration of his delayed birth event stated to have been born on 20-12-1963 at Village Dinak, P.O. Kanaid, Gram Panchayat Mahadev which could not be entered/registered within the prescribed period under the Registration of Birth and Death Act, 1969;

And whereas, the said applicant has prayed for registration of the said birth at this belated stage.

Now, therefore, notice is hereby given to the general public that if any person has any objection or information regarding the facts stated in the said application he/she may submit the same in writing alongwith supporting evidence, if any, to the undersigned on or before 15-02-2026.

In case no objection is received within the stipulated period, it shall be presumed that no one has any objection and the matter shall be proceeded with further as per law.

Issued under my hand and seal on this day of 10th of January, 2026.

Seal.

Sd/-
*Executive Magistrate,
Sundernagar, District Mandi (H.P.).*

In the Court of Executive Magistrate, Sundernagar, District Mandi (H. P.)

In the matter of :

Case No. 04/NT/2026

Date of hearing : 15-02-2026

Smt. Hima Devi d/o Bali Ram, r/o Village Harwani, Post Office Upper Behli, Tehsil Sundernagar, District Mandi, H.P. . . *Applicant.*

Versus

General Public

. . *Respondent.*

Subject.—Registration of delayed birth of the applicant.

PUBLIC NOTICE

Whereas, an application has been received from Smt. Hima Devi d/o Bali Ram, r/o Village Harwani, Post Office Upper Behli, Tehsil Sundernagar, District Mandi, H.P. seeking registration of his delayed birth event stated to have been born on 15-07-1962 at Village Harwani, P.O. Upper Behli, Gram Panchayat Chambi which could not be entered/registered within the prescribed period under the Registration of Birth and Death Act, 1969;

And whereas, the said applicant has prayed for registration of the said birth at this belated stage.

Now, therefore, notice is hereby given to the general public that if any person has any objection or information regarding the facts stated in the said application he/she may submit the same in writing alongwith supporting evidence, if any, to the undersigned on or before 15-02-2026.

In case no objection is received within the stipulated period, it shall be presumed that no one has any objection and the matter shall be proceeded with further as per law.

Issued under my hand and seal on this day of 13th of January, 2026.

Seal.

Sd/-
Executive Magistrate,
Sundernagar, District Mandi (H.P.).

In the Court of Executive Magistrate, Sundernagar, District Mandi (H. P.)

In the matter of :

Case No. 11/NT/2026

Date of hearing : 24-02-2026

Sh. Mohammad Altaf s/o Safdar Ali, r/o Village Dinak, P.O. Kanaid, Tehsil Sundernagar,
District Mandi, H.P. . . *Applicant.*

Versus

General Public

. . *Respondent.*

Subject.—Registration of delayed birth of the applicant.

PUBLIC NOTICE

Whereas, an application has been received from Sh. Mohammad Altaf s/o Safdar Ali, r/o Village Dinak, P.O. Kanaid, Tehsil Sundernagar, District Mandi, H.P. seeking registration of his delayed birth event stated to have been born on 20-03-1970 at Village Dinak, P.O. Kanaid, Gram Panchayat Kanaid which could not be entered/registered within the prescribed period under the Registration of Birth and Death Act, 1969.

And whereas the said applicant has prayed for registration of the said birth at this belated stage.

Now, therefore, notice is hereby given to the General Public that if any person has any objection or information regarding the facts stated in the said application he/she may submit the same in writing alongwith supporting evidence, if any to the undersigned on or before 24-02-2026.

In case no objection is received within the stipulated period, it shall be presumed that no one has any objection and the matter shall be proceeded with further as per law.

Issued under my hand and seal on this day of 15th of January, 2026.

Seal.

Sd/-
Executive Magistrate,
Sundernagar, District Mandi (H.P.).

In the Court of Executive Magistrate, Sundernagar, District Mandi (H. P.)

In the matter of :

Case No. 10/NT/2026

Date of hearing : 24-02-2026

Smt. Tahira Khatun d/o Sh. Hamid Mohammed, r/o Village Dinak, P.O. Kanaid, Tehsil Sundernagar, District Mandi, H.P. . . *Applicant.*

Versus

General Public

. . *Respondent.*

Subject.—Registration of delayed birth of the applicant.

PUBLIC NOTICE

Whereas, an application has been received from Smt. Tahira Khatun d/o Sh. Hamid Mohammed, r/o Village Dinak, P.O. Kanaid, Tehsil Sundernagar, District Mandi, H.P. seeking registration of his delayed birth event stated to have been born on 19-01-1982 at Village Dinak, P.O. Kanaid, Gram Panchayat Dugrain which could not be entered/registered within the prescribed period under the Registration of Birth and Death Act, 1969.

And whereas, the said applicant has prayed for registration of the said birth at this belated stage.

Now, therefore, notice is hereby given to the General Public that if any person has any objection or information regarding the facts stated in the said application he/she may submit the same in writing alongwith supporting evidence, if any to the undersigned on or before 24-02-2026.

In case no objection is received within the stipulated period, it shall be presumed that no one has any objection and the matter shall be proceeded with further as per law.

Issued under my hand and seal on this day of 15th of January, 2026.

Seal.

Sd/-

*Executive Magistrate,
Sundernagar, District Mandi (H.P.).*

In the Court of Executive Magistrate, Rohru, District Shimla (H.P.)

In the matter of :

Sh. Shamsher s/o Sh. Noor Mohmmad, r/o Village Jakhar, P.O. Samoli, Tehsil Rohru, District Shimla, H.P. . . *Applicant.*

Versus

Subject.—Application for publication in the Government Rajpatra for correction of date of Birth of the applicant.

Whereas, Shamsheer s/o Sh. Noor Mohammad, r/o Village Jakhar, P.O. Samoli, Tehsil Rohru, District Shimla, Himachal Pradesh has filed an application alongwith the affidavit in the court of undersigned under section 13(2) of the Birth & Death Registration Act, 1969, seeking entry of the date of birth of his son Master Inam (01-07-2011) and his daughter, Miss Razia (01-07-2013), in the Birth Register maintained by Gram Panchayat Seema-Rantari.

Now, therefore, objections are invited from the general public. If anyone has any objection regarding the entry of the Date of Birth of his son Master Inam (01-07-2011) & his daughter Miss Razia (01-07-2013), they should appear before the court of undersigned within 30 days from date of publication of this notice either personally or through their authorized agent.

In the event of their failure to do so, it shall be deemed that no objection has been raised and the matter shall be proceeded with *ex-parte* without affording any further opportunity of being heard.

Issued under my hand and seal of the court on this 19th Jan, 2026.

Seal.

Sd/-

*Executive Magistrate,
Rohru, District Shimla (H.P.).*

ब अदालत सहायक समाहर्ता प्रथम श्रेणी, तहसील रामपुर बुशैहर,
जिला शिमला, हिमाचल प्रदेश

वाद संख्या: 24/25

तारीख दायर : 23-12-2025

श्रीमती गीता देवी पुत्री स्व० श्री नन्द लाल, निवासी गांव जडीड, डा० धार-गौरा, हालाबाद पत्नी स्व० श्री हिरा लाल, निवासी गांव पनोली, डा० डन्सा, तहसील रामपुर, जिला शिमला हि०प्र० वादी।

बनाम

आम जनता

प्रतिवादी।

विषय.—प्रार्थना-पत्र बाबत ग्राम पंचायत धार-गौरा में जन्म पंजीकरण बारे।

यह दरखास्त श्रीमती गीता देवी पुत्री स्व० श्री नन्द लाल, निवासी गांव जडीड, डा० धार-गौरा, हालाबाद पत्नी स्व० श्री हिरा लाल, निवासी गांव पनोली, डा० डन्सा, तहसील रामपुर, जिला शिमला हि०प्र० ने इस कार्यालय में जन्म तिथि व मृत्यु पंजीकरण ग्राम पंचायत धार-गौरा में दर्ज करवाने बारे आवेदन पत्र व ब्यान हल्फी दिया है। प्रार्थिया ने आवेदन किया है कि ज्ञान न होने के कारण वह अपनी जन्म तिथि का पंजीकरण ग्राम पंचायत धार-गौरा में दर्ज न कर सकी। प्रार्थिया की जन्म तिथि निम्न है.—

क्रम संख्या	प्रार्थिया का नाम	तारीख जन्म
1.	श्रीमती गीता देवी पुत्री स्व० श्री नन्द लाल, निवासी गांव जडीड, डा० धार-गौरा, हालाबाद पत्नी स्व० श्री हिरा लाल, निवासी गांव पनोली, डा० डन्सा, तहसील रामपुर, जिला शिमला हि०प्र०।	16-04-1974

अतः इस इश्तहार द्वारा सर्वसाधारण को सूचित किया जाता है के ग्राम पंचायत धार-गौरा में प्रार्थिया की जन्म तिथि पंजीकरण करने बारे किसी भी व्यक्ति का किसी भी प्रकार का उजर/एतराज हो तो वह दिनांक 21-02-2026 को प्रातः 11.00 बजे असालतन या वकालतन हाजिर अदालत आकर अपना उजर/एतराज पेश कर सकता है अन्यथा एकतरफा कार्यवाही अमल में लाई जावेगी।

आज दिनांक 20-01-2026 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

हस्ताक्षरित /—
सहायक समाहर्ता प्रथम श्रेणी,
तहसील रामपुर बुशैहर, जिला शिमला (हि0प्र0)।

CHANGE OF NAME

I, Surat Singh s/o Sh. Mehar Singh, Village and Tehsil Shillai, District Sirmaur (H.P.) declare that my son's name is wrongly written as Kanishk Desaik in Aadhar Card No. 8225 6408 1118, whereas his correct and actual name is Kanish. All concerned please note.

SURAT SINGH
s/o Sh. Mehar Singh,
Village and Tehsil Shillai,
District Sirmaur (H.P.).

CHANGE OF NAME

I, Rachna Bohra Legal w/o No. 14950515H Rank Sep. Name Mukesh Kumar, r/o Village Lana Baka, P.O. Dinger Kinner, Tehsil Pachhad, District Sirmaur, State Himachal Pradesh, Pin-173001 have changed my name from Rachna Bohra to Rachana Bohra vide affidavit dated 09-01-2026.

RACHNA BOHARA
w/o Mukesh Kumar,
r/o Village Lana Baka, P.O. Dinger Kinner,
Tehsil Pachhad, District Sirmaur, Himachal Pradesh.

CHANGE OF NAME

I, Anisha Sharma w/o Sh. Raman Sharma, r/o Village Lag, P.O. Lag Manwin, Tehsil Bhoranj, District Hamirpur (H. P.) declare that I have changed my minor son's name from Maridul Sharma to Mridul Sharma for all purposes in future. All concerned please note.

ANISHA SHARMA
w/o Sh. Raman Sharma,
r/o Village Lag, P.O. Lag Manwin,
Tehsil Bhoranj, District Hamirpur (H. P.).

CHANGE OF NAME

I, Duni Chand s/o Sh. Ram Ditta, r/o Village Beri, P.O. Brang, Tehsil Sarkaghat, District Mandi (H. P.) declare that in my minor daughter's Aadhar Card her name is wrongly entered as Sonu Devi which should be corrected as Soni Devi. All concerned please note.

DUNI CHAND
s/o Sh. Ram Ditta,
r/o Village Beri, P.O. Brang,
Tehsil Sarkaghat, District Mandi (H. P.).

CHANGE OF NAME

I, Pooja w/o Sh. Goldi Thakur, r/o Village & P.O. Phahal, Tehsil Galore, District Hamirpur (H.P.) declare that I have changed my minor daughter's name from Manpreet Kaur to Avni Thakur for all purposes in future. All concerned please note.

POOJA
w/o Sh. Goldi Thakur,
r/o Village & P.O. Phahal,
Tehsil Galore, District Hamirpur (H.P.).

CHANGE OF NAME

I, Damodar Singh s/o Sh. Man Singh, r/o Village Barshogi, P.O. Piplage, Tehsil Bhunter, District Kullu (H.P.) declare that my son's name is wrongly entered as Kanwar Saksham Guleria in Aadhar Card. Now I intend to correct my son's name as Saksham Guleria in Aadhar Card. All concerned please note.

DAMODAR SINGH
s/o Sh. Man Singh,
r/o Village Barshogi, P.O. Piplage,
Tehsil Bhunter, District Kullu (H.P.).

CHANGE OF NAME

I, Kushal Bharti d/o Sh. Kalip Singh, r/o V.P.O. Basantpur, Tehsil Sarkaghat, District Mandi (H.P.) declare that in my daughter's Aadhar Card her name is wrongly entered as name in all Government documents Yasvi which should be corrected as Yashashvi Thakur. Please correct this.

KUSHAL BHARTI
s/o Sh. Kalip Singh,
r/o V.P.O. Basantpur,
Tehsil Sarkaghat, District Mandi (H.P.).

CHANGE OF NAME

I, Uma Devi (UIN No. 6430-7006-8923 w/o Sh. Dinesh Kumar, r/o Village Kyari, P.O. Kyari Gundah, Tehsil Shillai, District Sirmaur (H.P.) declare that I have changed my daughter's name Sanjan (Old Name) to Sanjna (New Name). All concerned please note.

UMA DEVI
w/o Sh. Dinesh Kumar,
r/o Village Kyari, P.O. Kyari Gundah,
Tehsil Shillai, District Sirmaur (H.P.).

CHANGE OF NAME

I, Sapna d/o Sh. Vijay Prasad Bahuguna, r/o Ward No. 03, Village Badah, P.O. Mohal, Tehsil Kullu, District Kullu (H.P.)-175126 declare that I have changed my name from Sapna to Kumari Sapna. In future I must be known as Kumari Sapna. All concerned please note.

SAPNA
d/o Sh. Vijay Prasad Bahuguna,
r/o Ward No. 03, Village Badah,
P.O. Mohal, Tehsil Kullu, District Kullu (H.P.).

CHANGE OF NAME

I, Chand Kishor s/o Sh. Tej Ram, r/o V.P.O. Manikaran, Tehsil Jari, District Kullu (H.P.) declare that my daughter's name is wrongly edtered as Chetaniya in Aadhar Card. Now I intend to correct my daughter's name as Chaitanya in Aadhar Card. All concerned please note.

CHAND KISHOR
s/o Sh. Tej Ram,
r/o V.P.O. Manikaran,
Tehsil Jari, District Kullu (H.P.).

CHANGE OF NAME

I, Deepak Kumar s/o Sh. Mool Chand, r/o Building Near Lakshmi Narayan Mandir, Totu, Shimla (H.P.)-171011 declare that I have changed my daughter's name from Kahgna Sonkar (Old Name) to Kangna (New Name). All concerned please may note.

DEEPAK KUMAR
s/o Sh. Mool Chand,
r/o Building,
Near Lakshmi Narayan Mandir, Totu, Shimla (H.P.).

CHANGE OF NAME

I, Savo Devi w/o Sh. Nuklu, r/o Ward No. 5, Village Padhiar Khar, P.O. Padhiar Khar, Tehsil Palampur, District Kangra (H.P.) declare that I have changed my name from Sahabo Devi to Savo Devi. All concerned please note.

SAVO DEVI
w/o Sh. Nuklu,
r/o Ward No. 5, Village Padhiar Khar,
P.O. Padhiar Khar, Tehsil Palampur, District Kangra (H.P.).

CHANGE OF NAME

I, Roop Ram s/o Sh. Anant Ram, r/o Village Beoli Dhar, P.O. Poabo, Tehsil Shimla(R), District Shimla (H.P.) declare that my daughter's name is wrongly entered as Harishta in her Aadhar Card, whereas her correct name is Harshita. All concerned please may note.

ROOP RAM
s/o Sh. Anant Ram,
r/o Village Beoli Dhar, P.O. Poabo,
Tehsil Shimla(R), District Shimla (H.P.).