



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-14529-2026 (O&M)
Date of decision: 11.05.2026

M/s CIS Bureaus Facility Services Pvt. Lmt.Petitioner

Versus

Presiding Officer, Industrial Tribunal cum Labour Court, and others
....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Ms. Vibha Nagar, Advocate, and
Mr. Garshabad Singh Sandhu, Advocate,
for the petitioner.

KULDEEP TIWARI, J. (Oral)

1) The petitioner-Management is before this Court, by way of instant writ petition, as cast under Article 226/227 of the Constitution of India, against the *ex parte* award dated 07.01.2025 (Annexure P-9), as well as order dated 12.01.2026 (Annexure P-11), vide which, application for setting aside the *ex parte* award (*supra*) and the order dated 02.11.2021, was dismissed.

2) Learned counsel for the petitioner submits that the learned Industrial Tribunal has erroneously dismissed the application for setting aside the impugned *ex parte* award as well as order dated 02.11.2021, whereby, the petitioner had been proceeded against *ex parte*, as the same was duly supported by the reasons for non-appearance of the representative of the Management. She further submits that, had the learned Industrial Tribunal considered the reasons delineated in the application, the fate of the dispute would have been different. She



concludes by asserting that, in fact, the impugned award itself is vague, inasmuch as it does not clarify, as to which party/respondent is liable to give effect to the same.

- 3) No other argument was raised.
- 4) This Court has heard the submissions advanced on behalf of the petitioner, and also perused the application.
- 5) The petitioner-Management, primarily, filed the application on the following grounds:-

- i) Due to certain circumstances which were beyond the control of the petitioner, the written statement could not be filed within the stipulated timeframe, and the same also led to subsequent non-appearance.

- ii) The authorized representative of the petitioner-Management had been appearing in the early months of the proceedings, i.e. January and February, 2020. Thereafter, owing to outbreak of the pandemic (Covid-19), the Management could not track down the listing of the matter.

- iii) The petitioner had to shift its office from Industrial Area, Phase 8, Mohali, to a different location, and thus, any notice, if issued, would have been delivered on the previous address. In such circumstances, the petitioner was completely oblivious of the proceedings, which resulted in the *ex-parte* order as well as award.

- 6) Having considered the abovesaid reasons, this Court is of the considered opinion that none of them is sufficient to interfere with the impugned *ex parte* award.

- 7) *Ex facie*, the petitioner has miserably failed to explain the circumstances, which were purportedly beyond its control. In fact, in the matter at hand, the petitioner-Management had been duly represented by



its authorised representative, who also sought time to file response to the claim statement. Thereafter, the Management, on its own, opted not to cause appearance. Further, the order, vide which the petitioner was proceeded against *ex-parte*, was never passed during the prevalence of the pandemic, rather, the same was passed on 2.11.2021, by which time, normalcy had been restored.

8) Likewise, the plea of change of office also does not advance the cause of the petitioner, as no fresh notice was issued by the learned Tribunal. As demonstrated above, the petitioner had already been duly served, in pursuance whereof, its authorised representative caused appearance to defend the proceedings. Therefore, it appears that such a plea is another attempt to deprive the respondent-workman from the fruits of the award.

9) Adverting to the next plea that on the repeated assurance of the workman to re-join, the petitioner-Management did not pursue the matter, suffice it to say, no efforts were ever made by the Management to lead any evidence, in this regard. As explained above, the petitioner was well aware of the pendency of the proceedings. The award was pronounced as back as on 07.01.2025, thereby creating a vested right in favour of the workman, which cannot be taken away except for cogent and justifiable reasons.

10) So far as the argument raised on behalf of the petitioner that the award is ambiguous, as it does not clarify, as to which party/respondent is responsible to ensure its compliance, the same is also noted for the purpose of rejection only. In the claim statement, it was categorically set out that the workman was appointed by Armapro



Security Services Private Limited to perform duty in the premises of BVC Logistic-respondent No.3. However, in the month of September, 2019, respondent No.3 replaced the above contractor with the petitioner-company. And, it was also agreed that petitioner-CIS Bureaus Facility Services Private Limited (new contractor), would absorb all the workmen employed by the earlier contractor (Armapro Security Services Private Limited), on the same terms and conditions. In such a situation, this Court finds no ambiguity in the impugned award.

11) In conspectus of the abovesaid discussion, this Court has no hesitation to hold that instant writ petition is devoid of any merits, and thus, the same is **dismissed**.

(KULDEEP TIWARI)
JUDGE

11.05.2026
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No