

% 13.10.2009

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Present:- Mr. B.K. Singh for the petitioner.
Mr. Rajbir Singh Gulia for respondent No. 1:

+ W.P.(C.) Nos. 6591/2008, 6592/2008, 6633/2008, 6634/2008 & 6635/2008

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Counsel for both the parties have agreed for passing of a consent order in all these five writ petitions. Therefore, these writ petitions are proposed to be disposed of by a consent order in the following terms:-

The impugned awards all dated 21.07.2008 in all these five cases are hereby set aside. The cases are remanded back to the court below for fresh decision after giving an opportunity to the petitioner management to examine one more witness in each of these five cases. Mr. B.K. Singh learned counsel appearing on behalf of the petitioner management has undertaken that the petitioner management will not examine more than one witness in any of these five cases to prove its defence to the claim of the workmen. He has further assured that the witness intended to be examined by the petitioner management in its additional evidence will be produced by the management at its own responsibility on such date as may be fixed by the court below. The counsel for the parties have assured that they will not ask for any adjournment before the court below. Learned counsel appearing on behalf of the petitioner management says that payment under Section 17-B already ordered

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vide order of this Court dated 24.07.2009 shall be continued to be made to the workmen till the time the reference is decided afresh by the court below. The parties are directed to appear before the court below for directions at 02:00 PM on 26.10.2009. The court below is directed to decide the reference afresh as expeditiously as possible but not later than three months to be reckoned from 26.10.2009.

All these writ petitions stand disposed of in terms referred above.

A copy of this order be kept in the files of all the writ petitions which have been disposed of by this common order.

A copy of this order be also sent to the court below for compliance.

Order dasti under the signatures of the Court Master.

OCTOBER 13, 2009

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S.N. Aggarwal
S.N.AGGARWAL, J