

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP no.12937 of 1993 (O&M)

Date of Decision : 13.01.2015

Chief Engineer, UT, Chandigarh

....Petitioners

Versus

Hari Ram and another

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : None for the parties

MAHESH GROVER, J.

The challenge is to the award dated 9.6.1992 which was disposed of on a reference claimed by the workman in the following terms:-

“9. In view of my findings on issue no.1 above, reference is decided in affirmative. The impugned order is set aside. The workman shall be deemed to be in service and shall be entitled to continuity of service and 50% back wages. Appropriate Government be informed.”

During the course of the hearing of the petition, 50% back wages were paid to the workman and he was reinstated in service. Order dated 3.2.1994 extracted herebelow would indicate the same:-

“Mr. Subhash Goyal states that in compliance with the direction of the High Court, 50% of the back wages have been paid to the workman vide cheque dated February 1, 1995. He further states that the workman shall be taken on duty as and when he reports to Sub Divisional Engineer, CP Division No.1, Chandigarh. In this view of the matter, the application has become infructuous and is accordingly dismissed.”

The facts would also indicate that workman was employed in the year 1977 and therefore, by now he would have been fairly advanced in years and possibly retired from his assignment. In any eventuality, the award of the Tribunal has been largely satisfied during the course of the proceedings, leaving no issue to be determined by this Court. Therefore, instant petition is disposed of as having been rendered infructuous.

January 13, 2015
rekha

(MAHESH GROVER)
JUDGE