

**503**

**C.W.P. No. 13924 of 1998**

**MUNICIPAL COMMITTEE**

**V/S**

**POLC AND OTHERS**

Present: Mr. Amandeep Singh, Clerk  
O/o Municipal Council, Nabha (Patiala)

Mr. Jagdev Singh, Advocate  
for the respondent

\* \* \* \*

This writ petition was filed by Municipal Committee, Nabha through its Executive Officer, Patiala. The primary prayer was for issuance of a writ in the nature of certiorari quashing the award dated 1.6.1998 passed by the Presiding Officer, Labour Court, Patiala (Annexure P-1) whereby Labour Court had directed to reinstate respondent No.2-Darshan Lal with full back wages from the date of Demand Notice i.e. 29.5.1994 till re-instatement. After admission of the writ petition an interim order was passed by the Hon'ble Punjab & Haryana High Court on July 24, 2001 which inter alia observed that "*I am of the considered opinion that the relief of back wages cannot be denied to the respondent-workman on the basis of a bald assertion made by the management-petitioner.*" It was further observed that "*In view of the above, the petitioner-management is directed to comply with the order of this Court dated 2.9.1998 and to pay to the workman-respondent wages which were being drawn by him at the time of his termination. x x x x x x x x x . Thereafter, the petitioner-management is directed to regularly pay wages to the workman-respondent from month to month on the same date as the wages are*

*paid to the other workmen.”*

This writ petition was placed before us to explore the possibility of amicable settlement between the parties. We had asked the petitioner-Municipal Committee on 20.3.2015 to file an affidavit as to whether the order of Hon'ble Punjab & Haryana High Court dated 24.7.2001 (supra) had been complied with by the Municipal Council. Pursuant to that order an affidavit of Sh. Ranbir Singh, Executive Officer, Municipal Council, Nabha dated 9.4.2015 was filed and copy thereof was given to learned counsel for respondent-Darshan Lal, wherein it is stated as under in the affidavit:

- 1. I state on oath that in compliance of the order dated 24/7/2011 passed by Mr. Justice S.S.Nijjar Judge, the petitioner council has paid the back wages to Darshan Lal s/o Piara Lal to the tune of Rs. 20,000/- vide cheque bearing no. 409221 dated 28/01/2002 and Rs. 15,702/- vide cheque bearing no. 409255 dated 07/02/2002.*
- 2. I state on oath that further in compliance with the above said order, the above said Darshan Lal son of Piara Lal was re-appointed on duty on daily wages.*
- 3. I state on oath that the above said Darshan Lal has expired on dated 29/05/2004 and his death certificate in original is being attached herewith.*
- 4. That now nothing remains due of the said Darshan Lal towards the petitioner council.”*

In view of the above affidavit, learned counsel/parties

state that let this writ petition be consigned to the record-room with liberty to heirs of respondent No.2-Darshan Lal to get the writ petition revived, if fresh facts/circumstances come to light.

We order accordingly.

Copy of the order be supplied/sent to the counsel/parties and file be returned to the High Court.

(R.S.MONGIA)  
PRESIDENT

05.05.2015  
Janki

(R.K.NEHRU)  
MEMBER