

201.

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Civil Writ Petition No.9518 of 2000 (O&M)

Date of decision: 04.11.2015

M/s Atma Tube Products Limited

... Petitioner

versus

The Presiding Officer, Industrial Tribunal, Punjab, Chandigarh and
another.

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. V.K. Sachdeva, Advocate,
for the petitioner.

Mr. Namit Kumar, Advocate,
for respondent No.2.

K.Kannan, J. (Oral)

1. The writ petition challenges the award passed by the Labour Court directing reinstatement and backwages to a workman through the order dated 15.05.2000. It is represented that the land, plant and machinery had been sold for the debts due by the enforcement of the provisions of the SARFAESI Act and the petitioner is himself not running the business. The issue of reinstatement, according to the petitioner, is not now possible and the counsel is not pressing for disposal of the case on merits.

2. The petition is dismissed taking note of the submissions that he will not be in a position to reinstate. The issue for consideration would, therefore, be only there has been any breach of order passed by this court, while directing the petitioner to give the benefit of Section 17-B of the Industrial Disputes Act to the workman. This is brought out through an independent petition in COCP No.188 of 2011. The extent of liability of the petitioner or whether there is any contempt made would require to be dealt with independently in the said COCP No.188 of 2011.

(K.KANNAN)
JUDGE

04.11.2015
sanjeev