

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

**CWP No.12287 of 2003(O&M)
Date of Decision: 5.10.2015**

State of Haryana

... Petitioner

Versus

Ishwar Singh & anr.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. JS Bedi, Addl. A.G., Haryana,
for the petitioner.

Ms. Abha Rathore, Advocate,
for respondent No.1.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

The writ petition filed by the State of Haryana was dismissed on 3.11.2009 for non-payment of dues under Section 17-B of the Industrial Disputes Act, 1947. State filed an appeal (Civil Appeal No.2876 of 2008 arising out of SLP(C) No.11906 of 2007, State of Haryana v. Ishawar Singh) before the Supreme Court. Initially, the Supreme Court granted relief vide order dated 21.4.2008 with a direction that the order passed by this Court under Section 17.B would be complied with within 4 weeks from 21.4.2008. It was directed by the Supreme Court that if the order stands complied with, the High Court would retain the main file and decide the same on merits. If the order is not complied with within 4 weeks from 21.4.2008, the order passed by the High Court shall remain operative and the civil appeal will stand dismissed.

There is no dispute that the State did not fully comply with the order passed by the Supreme Court and as a result the application

for extension of time for making payment in compliance of the order dated 21.4.2008 was dismissed on 31.7.2009 on the ground of delay as well as the appeal on merits. This itself put an end to the Interlocutory Application praying for extension of time in the main Civil Appeal. In view of the dismissal of the Civil Appeal by the Supreme Court, nothing remains to be decided in this case and no further orders are required to be passed.

Dismissed.

5.10.2015
monika

(RAJIV NARAIN RAINA)
JUDGE