

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

**CM-7619-2014 in/and
CWP-17416-2013 (O&M)
Date of decision : 06.10.2015**

Divisional Forest Officer, Panipat

... Petitioner

Vs

Ram Mehar & Anr.

... Respondents

Coram : Hon'ble Mr. Justice Rajiv Narain Raina

Present : Ms. Vibha Dhiman, AAG, Haryana
for the petitioner.

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

Rajiv Narain Raina, J. (oral)

On 11.12.2014, the Court was confronted with the situation where no reply to the application under Section 17-B of the Industrial Disputes Act, 1947 was filed despite repeated opportunities granted. The Court accepted the averments made in the application supported by an affidavit as they remained uncontroverted and hence a direction was issued to the Forest Department to comply with the provisions of Section 17 B of the Act positively within a period of six weeks from the date of receipt of the certified copy of the order. Till date compliance has not been made and, therefore, the petitioner is in disobedience of the direction issued by this Court. Consequently, the petition is dismissed.

Ms. Vibha Dhiman says that the respondent-workman was a daily wager. It may be noted that the award has been passed on a clear finding recorded that management had

violated the mandate of Section 25-H of the Act and the right of re-entry of the petitioner was denied when the respondent-workman was not offered appointment when another worker was appointed to the post vacated by respondent No.1.

(RAJIV NARAIN RAINA)
JUDGE

06.10.2015

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