

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

Civil Writ Petition No.24683 of 2012 (O&M)

Date of decision: 8.12.2015

General Manager, Haryana Roadways, Rohtak

... Petitioner

Versus

Mohender Singh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

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

Mr.Manoj Chahal, 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 General Manager, Haryana Roadways, Rohtak dispensed with the services of as many as 18 helpers on May 26, 2000. These terminations were brought about on the plea that they have been declared surplus. Some of the helpers whose services were terminated on May 26, 2000 approached the Labour Court and received orders of reinstatement with continuity of service along with 50% of the arrears of back wages vide awards dated May 18, 2006 and June 6, 2006 which were challenged by the General Manager, Haryana Roadways, Rohtak before this Court in CWP

No.4106 of 2007 in case General Manager, Haryana Roadways, Rohtak v. Jai Kanwar and others and CWP No.4162 of 2007 in case General Manager, Haryana Roadways, Rohtak v. Sanjay and others decided on April 3, 2007 and March 19, 2007 respectively by the Division Bench of this Court. The orders have attained finality.

Mr.Chahal appearing for the respondents-workmen submits that the case of the present respondents is covered by the aforesaid decisions of the Division Bench of this Court. The present case is identical to the aforesaid CWPs No.4106 of 2007 and 4162 of 2007 and, therefore, deserves to be applied equally by according similar treatment so as to avoid unfair discrimination in the matter of grant of relief.

Heard. Mrs.Vibha Dhiman learned AAG, Haryana and Mr.Chahal for the parties at some length.

Mr.Chahal has produced the download of the two orders which are taken on record. There can be no manner of doubt that the present case and the cases of *Jai Kanwar* and *Sanjay* [supra] are identical in all respects. Therefore, this petition deserves to be dismissed and the award passed by the Presiding Officer, Labour Court, Rohtak dated January 2, 2012 deserves to be upheld in view of the decisions in the aforesaid two writ petitions involving the same issue.

As a result of the above discussion, the writ petition is dismissed.

(RAJIV NARAIN RAINA)
JUDGE

December 8, 2015

Paritosh Kumar

