

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.26063 of 2014

Date of Decision:- 14.07.2015.

Union of India and others

.....Petitioners

Versus

Surjit Kaur and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Ashwinie Kumar Bansal, Advocate and
Mr. Anmol Pandit, Advocate for the petitioners.

Mr. K.B. Sharma, Advocate for the respondents.

SURYA KANT, J. (ORAL)

1.) The Tribunal has vide the impugned order dated 29.08.2014 accepted the claim of private respondents in terms of its earlier decision in **Kiran Pal and others case**, which was upheld by this Court vide order dated 19.09.2012 passed in CWP No.21255 of 2011. The SLP was also declined by the Hon'ble Supreme Court. The Tribunal and this Court held in **Kiran Pal's case** that the casual workers were entitled to the benefit of clause (iv) of Annexure A-1 containing general terms and conditions for employment of casual labourers.

2.) In the instant case also, the respondent-casual workers have been treated at par with **Kiran Pal and others case**. It is pointed out by learned counsel for the respondents that in fact their juniors are getting more pay by virtue of implementation of clause (iv) in their cases.

3.) Since the petitioners have failed to draw any distinction between the casual workers of **Kiran Pal and others case** vis-a-vis the private respondents, learned counsel for the petitioner-authorities seeks to withdraw this writ petition with liberty to file an appropriate application before the Tribunal to make out a case of alleged distinction between the two sets of employees. If such a review application is filed, the respondents shall be at liberty to demonstrate that their claim is indeed at par with the applicants of **Kiran Pal and others** case.

4.) Dismissed as withdrawn with liberty aforementioned.

**(SURYA KANT)
JUDGE**

**(P.B. BAJANTHRI)
JUDGE**

July 14, 2015.

sandeep sethi