

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

**Civil Writ Petition No.609 of 2013
Date of Decision: 03.09.2015**

Municipal Corporation, U.T., Chandigarh & anr.

... Petitioners

Versus

Shri Lochan & ors.

... Respondents

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

Present: Ms. Deepali Puri, Advocate,
for the petitioners.

Mr. Raj Kaushik, Advocate,
for respondents No.1 to 3.

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

RAJIV NARAIN RAINA, J.(Oral)

Both the counsel, on instructions from their respective clients, are *ad idem* that the reference should be decided on merits and the case deserves to be remanded to the Labour Court for a fresh adjudication in the presence of both the parties. However, Mr. Kaushik appearing for the respondents submits that his clients have been put to considerable expense in several years spent in prosecuting the case for which they deserve to be reasonably compensated even though presently they are agreed that the ends of justice require full and proper adjudication of the disputes between the parties. This request is found to be fair and just.

While remanding the case for a fresh adjudication by the consent of the parties, the petitioner-Corporation is subjected to costs quantified at Rs.25,000/- to be paid before the Labour Court by the Municipal Corporation to the respondent/workers on the first date of

appearance in remand proceedings. Since the reference is of the year 2005 and 10 years have lapsed, it will be endeavour of the Industrial Tribunal-cum-Labour Court, Chandigarh to decide the remand proceedings as expeditiously as possible and preferably within one year. As a result of this order, the pending execution proceedings are declared infructuous and it is ordered that the execution file be closed and consigned to the record room.

The petition stands disposed of with the above direction.

Parties to appear before the Industrial Tribunal-cum-Labour Court, Chandigarh on 14.9.2015.

3.09.2015
monika

(RAJIV NARAIN RAINA)
JUDGE