

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

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L.P.A. No. 1409 of 2015 (O&M)

Date of decision: 13.10.2015

Municipal Council, Kartarpur

.....Appellant

Versus

Pawan Kumar and another

.....Respondents

**Coram: Hon'ble Mr. Justice Rajive Bhalla
 Hon'ble Mrs. Justice Rekha Mittal**

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Present: Mr. Shashi Kumar Yadav, Advocate
 for the appellant

Mr. Ravi Kant Sharma, Advocate
for respondent No. 1

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

Rajive Bhalla, J. (Oral)

CM No. 3018-LPA of 2015

Prayer in this application is to condone delay of 186 days in filing the appeal.

For reasons stated in the application and arguments addressed by counsel for the parties, the application is allowed and delay of 186 days in filing the appeal is condoned.

Disposed of accordingly.

Appeal

The Letter Patents Appeal came up for hearing on 24.09.2015.

After considering the arguments, the impugned order as well as the award

passed by the Labour Court, the following order was passed:-

“Counsel for the appellant states that he has instructions from Shri Karminder Pal Singh, Executive Officer, Municipal Council, Kartarpur, District Jalandhar, that the Municipal Council gives up challenge the order of reinstatement but prays that back wages may be reduced by 50%.

Notice in the application for condonation of delay as well as in the appeal, for 13.10.2015.

The Municipal Council shall reinstate respondent No. 1, in accordance with the direction issued in the impugned order but payment of back wages beyond 50% shall remain stayed till the next date of hearing.

Process dasti only.

Counsel for respondent No. 1 states, on instructions, that he has no objection, if the impugned order is modified in terms of the order dated 24.09.2015.

We have heard counsel for the parties and appraised the order dated 24.09.2015. In view of the order dated 24.09.2015 and statement made by counsel for respondent No. 1, the impugned order is affirmed, but modified by directing the Nagar Council, Kartarpur, District Jalandhar, to reinstate respondent No. 1, within 15 days of receipt of a certified copy of the order and to pay 50% back wages to respondent No. 1, within two months.

(Rajive Bhalla)
Judge

13.10.2015
Mohan Bimbira

(Rekha Mittal)
Judge