

In the High Court of Punjab and Haryana at Chandigarh.

**COCp- 3337 of 2014
Decided on 30.8.2016**

Kali Ram

--Petitioner

Vs.

Sh.Devender Kaushik and another

--Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Vimal Singh, Advocate, for the petitioner

Mr.N.S.Bhardwaj, Advocate, for the respondents

Rakesh Kumar Jain,J: (Oral)

This petition is filed for the alleged disobedience of the order dated 14.2.1996 passed by the Division Bench in CWP No.14456 of 1995 (Kali Ram Vs. Presiding Officer, Labour Court, Ambala and another).

Contention of learned counsel for the petitioner is that he was allowed to be reinstated in service with benefit of continuity without there being any interruption in his service and that he shall get all service benefits on the presumption that his service had never been terminated. However, he shall not be entitled to monetary benefits for the intervening period.

After notice, the respondents appeared and submitted that the Division Bench has observed that the petitioner shall not be entitled to monetary benefits for the intervening period i.e. the date of termination of service by way of striking off his name and the date on which he reports

for duty. It is submitted that the petitioner has not been paid monetary benefits which includes gratuity. Learned counsel for the petitioner has submitted that once the petitioner has been allowed benefit of continuity of service, he was held entitled to all service monetary benefits.

After hearing learned counsel for the parties and keeping in view the order dated 14.2.1996, I am of the considered opinion that there is a fallacy in the approach of the petitioner in claiming the monetary benefits for the intervening period because it was specifically declined by the Court.

Consequently, I do not find any merit in this petition and the same is hereby dismissed.

Rule is discharged .

30.8.2016
rr

(Rakesh Kumar Jain)
Judge

Whether Speaking/Reasoned:

Yes/No.

Whether Reportable:

Yes/No