

513 CWP-5162-2003
GENERAL MANAGER HY. ROADWAYS SONEPAT V/S
RAM PARKASH

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Present: Mr. Ajay Sharma, DAG Haryana
 Along with Mr. Ramesh Kumar,
 Steno, Sonipat, GM Roadways.

 Mr. YP Malik, Advocate
 For the respondent.

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 The workman was ordered to be reinstated with full back wages by the Labour Court. Hence, this writ petition at the instance of the Department. Vide an interim order dated 03.04.2003, 50% of the back wages were stayed and the workman was ordered to be taken back in service with immediate effect and with a further direction that he shall be paid 50% of the back wages.

 Learned counsel appearing for the State of Haryana submits that the workman had been taken back in service with continuity of service and had been paid 50% of the back wages and the workman is still continuing in service. Mr. YP Malik, learned counsel for the workman states that he gives up his claim for the balance 50% back wages and thus, submits that this writ petition be dismissed having been rendered infructuous. Learned counsel for the workman further submits that he has already filed a writ petition seeking regularization of his services as the workman had been taken back in service with continuity of service.

 In our view, that is a separate cause of action and this writ petition is disposed of having been rendered infructuous in view of the stand of the learned counsel for the respondent-workman, but the disposal of this writ petition will have no bearing in the pending writ petition seeking regularization.

(G.C. GARG)
PRESIDENT

(N.K. KAPOOR)
MEMBER

November 04, 2016

Naina Rajput