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CWP-9039-1997

**JANTA COOPERATIVE SUGAR MILLS LTD.,
JALANDHAR V/S THE PRESIDING OFFICER LABOUR
COURT, JALANDHAR AND OTHERS**

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Present: Mr. Surinder Kumar Malhotra, Chief Accounts Officer,
Bhogpur Coop. Sugar Mills Limited, Bhogpur,
District Jalandhar.

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In response to the notice, Mr. Surinder Kumar Malhotra, Chief Accounts Officer of the petitioner-Mill has put in appearance. He has also produced the authorization letter, which is taken on record. The Labour Court vide its award dated 03.04.1997 accepted the reference and ordered reinstatement of the workman with continuity of service, but with 75% of the back wages upto the date of the publication of the award and full back wages thereafter. The petitioner-Sugar Mill filed the present writ petition challenging the award. The writ petition was admitted on July 03, 1997. Notice was issued regarding stay. Meanwhile, the operation of the impugned award was stayed. The order staying operation of the award has not been modified till date.

Mr. Vinod Sharma, Advocate, who was, later on, elevated to the Bench of this Court, put in appearance on behalf of the petitioner during the year, 1998. No other counsel has put in appearance on behalf of the workman till date.

Mr. Surinder Kumar Malhotra, Chief Accounts Officer of the petitioner-Mill submits that the respondent-workman has not approached the Mill even once during the last about 19 years. The Mill is not in the knowledge of his whereabouts. In the circumstances as noticed above, it is directed that this writ petition be consigned to record with liberty to the petitioner i.e. the Sugar Mill to get it revived in case of need.

A copy of this order be sent to the Mill for its record by post.

**(G.C. GARG)
PRESIDENT**

**(N.K. KAPOOR)
MEMBER**