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CWP No. 9451 of 2001

**STATE OF PUNJAB AND ANOTHER
V/S
BUDHA MAL AND ANOTHER**

Present: Mr. H.S.Garcha, DAG Punjab

None for the respondent

* * * *

The Labour Court vide award dated 10.2.2000 in favour of respondent-workman Budha Mal observed that *“in the peculiar circumstances of the case, I hold that though the sleepy conduct of the workman disentitles him to the relief of reinstatement, nevertheless, the peculiar circumstances of the case about length of his service, albeit intermittent, warrant his re-employment. Therefore, I order for re-employment of the workman. The workman shall report for duty as and when the award becomes enforceable at law.”*

This order was challenged by the management-respondent (now petitioner) by way of present writ petition. No stay was granted by the Hon'ble High Court when the writ petition was admitted.

Vide order dated 24.9.2016 read with order dated 22.10.2016 we had asked the petitioner's counsel to find out the status of Budha Mal.

Affidavit of Sh. Harjot Singh, Executive Engineer, Provincial Division, PWD B &R Branch, Gurdasapur dated 3.12.2016 has been filed in which it is mentioned that since no re-employment had been offered to Budha Mal he approached the Labour Court, Gurdaspur by way of filing an application under Section 33 C (2) of the Industrial Disputes Act. Vide

order dated 14.6.2011 the Labour Court ordered the payment of ₹ 99,600/- to the workman. That amount stood deposited by the Department with the Labour Court on 12.9.2011. Further, respondent No.1-Budha Mal has been reinstated in the Department and has since retired on attaining the age of superannuation, learned counsel for the petitioner states that let this writ petition be dismissed as not pressed.

Ordered accordingly.

Copy of the order be given to learned counsel/parties.

(R.S.Mongia)
President

(Arvind Kumar)
Member

03.12.2016

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