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C.W.P. No. 3759 of 2004 (O&M)

**ENGINEER-IN-CHIEF, HARYANA AND ANOTHER
V/S
SHAM LAL AND ANOTHER**

Present: Mr. Narendar Parmar, AAG Haryana
for the petitioner

None for the respondent

* * * *

The respondent-workman was ordered by the Labour Court to be reinstated in service with continuity and other consequential benefits with 25% back wages from the date of demand notice i.e. 5.9.1997 till reinstatement.

When the case had come up for admission on 27.3.2006, it was noticed by the Bench that as per the State counsel (petitioner) the workman had been allowed to join the service. In these circumstances, the payment of back wages was stayed.

However, learned counsel for the petitioner has placed on record a letter received by Advocate General office from Executive Engineer, Provl. Division No.II, PWD B&R Br. Sirsa in which it is mentioned as under:

“In this connection, it is intimated that this office has already been paid 25% back wages from 09/1997 to 07/2003 i.e. Rs. 34040/- to Sh. Sham Lal S/o Sh. Laxmen Dass. This office has also reinstated Sh. Sham Lal in the month of 08/2003 on Muster roll basic. He has worked in this division on Muster roll basic upto 09/2015. Further he has left the job himself on 30.09.2015. (copy enclosed).

Sh. Sham Lal has filed an writ petition in the Hon'ble High Court CWP No. 6614/2016. The next date of hearing is on dated 22.12.2016.

This is for your kind information and further necessary action please.”

In view of the above, learned counsel for the petitioner states that this writ petition be disposed of as not pressed at this stage. However, liberty is given to the parties to get the case revived, in accordance with law, if circumstances so exist.

This petition is dismissed as not pressed subject to the liberty as above.

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

(R.S.Mongia)
President

(Arvind Kumar)
Member

07.12.2016
Janki