

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CWP No.16084 of 1996
Date of Decision: 17.03.2017**

Punjab State Electricity Board

... Petitioner

Versus

Tilak Raj and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Ms. Maninder Kaur, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.(Oral)

As per office note, respondents No.2, 4 and 6 died. Respondents No.1, 5 and 8 have been served but no one has appeared for them. Respondent No.3 was not available at home and his family members refused to receive the notice from this Court. Respondent no.7 is not posted at the given address.

Written statements have been filed on behalf of respondents No.1 to 7.

Respondents No.1, 3, 5 and 8 are proceeded against ex parte.

In view of the statement made by learned counsel for the petitioner-Board that the claim in the applications under Section 33-C (2) of the ID Act, 1947 was for difference of wages between the minimum fixed for daily wagers and the wages paid to them by the Board for the period 1971-76 not much survives in this case. The claim applications have been allowed by the Labour Court against which PSEB is in writ assailing the orders.

The Court is informed that the services of the claimants-respondents were regularized as Linemen from June 01, 1976 and they have either died or have retired from service many years ago and no fruitful purpose will be served keeping this matter pending as against respondent No.7 since service of respondent No.3 would be taken as effected due to refusal.

LRs of respondents No.2, 4 and 6 and respondent No.7 are alone given liberty to apply for revival of this petition in case, they feel aggrieved and if advised.

The writ petition is allowed qua the remaining respondents and the impugned order passed by the Presiding Officer, Labourt Court, Gurdaspur dated March 22, 1996 is set aside as far as the other respondents are concerned other than to whom liberty has been granted.

(RAJIV NARAIN RAINA)
JUDGE

17.03.2017
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Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*