

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CWP No.6319 of 1998  
Date of Decision:04.10.2017**

Om Parkash

... Petitioner

Vs.

Presiding Officer and others

... Respondents

**CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI**

Present : Mr. Amit Jain, Advocate for the petitioner.

None for the respondents.

**P.B. BAJANTHRI J. (Oral)**

Service of notice upon respondent No.4 is incomplete despite giving sufficient time. Petitioner has not taken steps to serve respondent No.4. Moreover, it is submitted that Advocate on record is elevated as a Judge of this Court. It was bounden duty of the Advocate to make necessary arrangement in informing petitioner that Advocate on record was elevated and to take back the record so as to enable petitioner to engage any other counsel. If the petitioner is in remote place or illiterate, he is not in a position to have the knowledge that his advocate on record is elevated

On 23.8.2017 while extending time, it was made clear that no further time would be granted. Further on 15.9.2017 also one opportunity was granted till today. Even to this day, learned counsel for the petitioner is not in a position to address argument. There is also no representation on behalf of the respondents.

Petitioner-workman was appointed as an Assistant Van Attendant on 25.2.1991. His services were terminated on 31.5.1993. Order of termination was subject matter of Industrial Dispute which was decided by the Labour Court on 21.1.1998 against the petitioner. Since petitioner

has worked for about two years and three months, question of reinstating him do not arise at this stage. Therefore, award passed by the Labour Court dated 21.1.1998 is modified to the extent that petitioner is entitled for compensation of ₹1,00,000/-. The same shall be paid by second respondent within a period of three months from today. Failing which petitioner is entitled to interest @ 8% per annum from the date of this order.

With the above observation, petition stands disposed of.

04.10.2017  
rajeev

**(P.B. Bajanthri)**  
**Judge**

**Whether speaking/reasoned**                      **Yes/No**

**Whether reportable**                              **Yes/No**