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CWP No. 19213 of 2004

**MUNICIPAL CORPORATION, PATIALA
V/S
JAGDISH KUMAR AND ANOTHER**

Present: Mr. Vinish Singla, Advocate
for the petitioner

None for the respondent

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On 14.01.2005, the Bench admitting the writ petition passed the following order:

“Learned counsel for the petitioner has invited the Court's attention to the statement of the respondent-workman himself recorded before the Presiding Officer, Labour Court, Patiala, as WW-11, wherein during the course of his cross-examination, he acknowledged the fact that he was incurring monthly expenses of Rs.1,600/- by doing labour. The aforesaid factual position has been set out as against the acknowledged monthly wages of the respondent-workman which were Rs.1,520/- in order to establish that the respondent-workman was gainfully employed during the period he remained out of service of the petitioner-Manangement.

Admitted.

Payment of back-wages shall remain stayed in the meanwhile.'

In fact, while the award was passed on 6.5.2004 the respondent-workman was ordered to be reinstated into service with continuity of service and 25% back wages. In view of the order dated 14.1.2005 and further fact that nobody has put in appearance on behalf of respondent-workman and further fact that notice was issued to respondent-workman and the same has

come back with the report 'no person of this name relates to this Office', we consider it appropriate that the case be consigned to record-room with liberty to the parties, to get the case revived in accordance with law, if circumstances so exist.

Copy of the order be supplied/sent to learned counsel/parties.

(R.S.Mongia)
President

(Arvind Kumar)
Member

20.01.2017
Janki