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CWP No. 3399 of 2005

The Sulhani C.A.S.S. Ltd. & Anr. Vs. Presiding Officer & Anr.

Present:- Ms. Vandana Dogra, Advocate with
Mr. Baljit Singh, Secretary, Cooperative Society
for the petitioners.

Mr. S.K. Arora, Advocate for respondent No.2.

The present writ petition has been filed by the petitioner-
Management-The Sulhani C.A.S.S. Ltd challenging the award dated
22.11.2004 passed by the Labour Court, Bathinda reinstating the
respondents-workman Mohinder Singh (since deceased) with continuity of
service along with 50% back-wages from the date of demand notice i.e.
27.09.1996.

The writ petition was admitted on 12.01.2007 and the operation
of the award was stayed subject to the provisions of Section 17-B of the
Industrial Disputes Act, 1947 (hereinafter referred to as 'the Act').
Unfortunately, the workman expired during the pendency of the writ petition
his LR's were brought on record. The dispute now only remain with regard
to the payment of the back wages which comes to Rs.45,000/-.

The petitioner-Management has brought a cheque No.004130
dated 08.02.2017 of the Ferozepur Central Bank Ltd., B.O. Talwandi Bhai,
for a sum of Rs.45,000/- in favour of Nihal Kaur (mother of the deceased)
stating that upon visit of Baljit Singh, Secretary, at their house found
Karamjit Kaur (widow of the deceased) has also since expired and the other
legal representatives No.3 to 7 have no objection in giving the amount to
Nihal Kaur. The counsel for the respondent (since deceased) now

representing the LRs states that he has no objection if the cheque is given in favour of the Nihal Kaur.

In view of the said situation, the present writ petition is dismissed as infructuous. The cheque be handed over to the counsel for the legal representative of Mohinder Singh (since deceased).

(R.S. Mongia)
President

(Arvind Kumar)
Member

09.02.2017
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