

**526 CWP-19056-2006
SUPERINTENDENT OF POST OFFICES SANGRUR V/S
PRESIDING OFFICER, CGIT CHD. & ANR.**

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Present: Mr. Namit Kumar, Advocate for the petitioner.

Sh. Gopal Singh, Respondent.

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The Industrial Tribunal-cum-Labour Court vide order dated October 26, 2005 ordered the reinstatement of the workman on the post on which Mr. Gurbax Singh was working till such time Gurbax Singh joins. It was further ordered that the workman be paid full back wages. It was this order that was challenged by the Department by filing the present writ petition.

Mr. Gopal Singh, Advocate for respondent No.2 appeared in person on January 20, 2017 and stated that he has no objection to the writ petition being allowed and the award of the Labour Court set aside. He further stated that he is ready and willing to pay the amount that was paid to him by the petitioner in terms of High Court order dated 01.12.2006. Mr. Namit Kumar, Advocate appearing for the petitioner submits that if the respondent-workman is ready and willing to pay an amount of Rs.61,296/- in favour of the Department, he will not press this writ petition having been rendered infructuous. In view of the stand of the parties, respondent-workman has, today, tendered in Court cheque bearing No.269167 dated 03.02.2017 for Rs.61,296/- favouring the Postmaster, Sangrur in full & final satisfaction of the claim of the Department. The cheque has been handed over to the learned Counsel for the petitioner. In view of the above, the writ petition is dismissed having been rendered infructuous.

Before parting with the above order, it is found that the High Court in its order dated 01.12.2016 had ordered that the operation of the impugned order shall remain stayed subject to the condition that the petitioner undertakes to make the payment to the workman upto the date of joining i.e. March 04, 2004 and the payment shall be disbursed to the workman on his furnishing security to the satisfaction of the Labour Court. The payment was made by the Department and the workman furnished security for its return before the Labour Court as directed by the High Court in the form of Kisan Vikas Patra. Since the entire payment has been made to the Department through the cheque aforesaid, the Labour Court is directed to release the Kisan Vikas Patra deposited by the workman by way of security as early as possible, preferably within a period of one month from the date of receipt of copy of this order.

A copy of this order be sent to the Presiding Officer, Industrial Tribunal-cum-Labour Court – I, Sector 18, Chandigarh.

(G.C. GARG)
PRESIDENT

(N.K. KAPOOR)
MEMBER

February 03, 2017

Naina Rajput