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C.W.P. No. 735 of 2006

**GENERAL MANAGER, HARYANA ROADWAYS ROHTAK
V/S
SHRI BHAGWAN AND ANOTHER**

Present: Mr. Narendar Parmar, AAG Haryana for the petitioner

Mr. Ramesh Hooda, Advocate for the respondent

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In this case vide award dated 26.2.2004, the Labour Court, Rohtak had accepted the reference in favour of workman-Shri Bhagwan (now respondent) and held his termination to be illegal and for that the workman was entitled to reinstatement with continuity of service with 50% back wages. While admitting the writ petition on 21.3.2006, the operation of the impugned award was stayed subject to provisions of Section 17-B of the Industrial Disputes Act.

Exactly similar awards were passed by the Industrial Tribunal-cum-Labour Court, Rohtak in favour of Bijender Singh, Om Kumar, Jhyam Narain, Krishan, Bhagwan, Bhup Singh and Surinder Singh and the Haryana Roadways filed writ petitions No. 10471, 10474, 10490, 10502, 10508, 10509 of 2005 & 16558 of 2002 respectively challenging the impugned awards of the Labour Court. All the abovesaid writ petitions were dismissed on 9.1.2014 by passing similar orders which is as under (in CWP No. 10471 of 2005):

“Petitioner has approached this Court impugning the award passed by the Industrial Tribunal-cum-Labour Court, Rohtak, dated 18.3.2004 (Annexure-P-4) wherein the workman has been held entitled to reinstatement on his previous post with continuity of service and 50% back wages from the date of demand notice i.e. from 3.11.1997.

Counsel for the respondent-workman states that the workman has been regularized in service.

It would not be out of way to mention here that the award which is impugned in the present case is dated 18.3.2004 whereas the writ petition has been filed 29.6.2005. There is no explanation forthcoming explaining non-approach of the petitioner to this Court and the same being inordinate and unexplained, the writ petition on this count also requires to be rejected.

In view of the above, the present writ petition deserves to be dismissed.

Dismissed.”

The present writ petition was filed even later than the aforesaid writ petitions. The aforesaid writ petitions were filed in the year 2005 whereas the present writ petition was filed in the year 2006. For the reasons given by learned Judge in his order dated 9.1.2014 (supra) learned counsel for the petitioner states that let this writ petition be also disposed of in the same terms as in the abovesaid writ petitions.

Ordered accordingly.

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

(R.S.Mongia)
President

(Arvind Kumar)
Member

19.01.2017
Janki