

CWP-4579-2017

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

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Date of Decision : 05.04.2017

Labh Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. NPS Kohli, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

By this petition the petitioner prayed for issuance of directions to the respondents to release 50% of backwages from his date of termination till reinstatement as per the Award of the Labour Court dated 18.7.2003.

The facts necessary for adjudication are that the services of the petitioner were terminated. He challenged the order by way of seeking reference and Labour Court set aside the termination order and granted him reinstatement with continuity of service and 50% back wages. The State filed writ petition challenging the award. In the first instance the writ petition was allowed and the award was set aside. The petitioner filed a review and in the review the petitioner was granted reinstatement but not back wages. As mentioned above, by the present petition he seeks relief of the back wages which had been awarded to him by the Labour Court. It is

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not disputed that he could have sought this relief in the review and, if the Court declined him that relief he could have challenged that order in the Supreme Court. He however did not challenge that order in the Supreme Court.

In the circumstances, the present writ petition as barred by the principles of Order 2 Rule 2 of the CPC.

Petition stands dismissed.

Since the main case has been decided, the pending Civil Misc. Application, if any, also stands disposed of.

05.04.2017
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No