

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 3650 of 2018

Date of Decision: 26.09.2018

The Managing Director, HVPNL Vidut Bhawan, Panchkula and others
.....Petitioners

Vs.

Smt. Tarawati @ Tara Devi and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Vishal Garg, Advocate,
for the petitioners.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, the petitioners challenge the order of the learned executing Court dated 03.04.2018, by which the objections of the petitioners in those proceedings have been dismissed, holding that respondent-plaintiff no. 2, Sunil Kumar, was entitled to be given employment by the petitioners herein on the basis of the decree in his favour.

Learned counsel for the petitioners submits that a job was offered to respondent-plaintiff no. 1 Tarawati @ Tara Devi, mother of the other plaintiffs including Sunil Kumar, in terms of the decree in favour of the respondents-plaintiffs, (on account of the death of Jage Ram, husband of respondent-plaintiff no. 1 and father of the remaining respondents).

Hence, he submits that she not having accepted the employment and instead having stated that it be given to respondent-plaintiff no. 2, the right to such job had been lost.

A perusal of the impugned order shows that the objection of the petitioners to giving employment to respondent no. 2 Sunil Kumar, was that on the date of death of his father, i.e. 08.11.1998, he was a minor, being approximately 17 years of age and therefore, was ineligible.

The learned executing Court has held that even as per the policy of the petitioners, he could apply for employment within 03 years from the death of his father and obviously, within those 03 years, he would have attained majority.

I see absolutely no error in the reasoning of the executing Court, other than the fact that respondent-defendant no. 2 was undoubtedly a co-decree holder, with the decree in his and his co-plaintiffs favour having been affirmed right up-to the Supreme Court.

Consequently, finding absolutely no merit in this petition, it is dismissed in *limine*.

September 26, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes