

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-14602-CWP-2017 in/and
CWP No.12337 of 2014
Date of Decision : 21.03.2018

Chatter Singh through his LRs

.....Applicants/Petitioner

Versus

The State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Jagbir Malik, Advocate for the applicants/petitioner.
Mr. Gaurav Jindal, Addl. A.G. Haryana
for respondents No.1 to 4.

ARUN PALLI, J. (Oral)

CM-14602-CWP-2017

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed, subject to all just exceptions. Consequently, the applicants are brought on record being LRs of the deceased-Chatter Singh, for the purpose of pursuing the present petition only. Amended memo of parties is taken on record.

CM stands disposed of.

CWP No.12337 of 2014

With the consent of learned counsel for the parties, the petition is taken on Board.

Vide award dated 2.6.2003 (Annexure P-1), late Chatter Singh (the original petitioner), was ordered to be re-instated with continuity of service with full back wages. The said order was assailed by the Municipal Corporation, Panipat (respondent No.4), vide CWP No.9652 of 2003.

Subsequently, the petitioner filed the petition at hands seeking

regularization of his services. On July 1, 2014, this Court had admitted this petition, which was ordered to be heard with CWP No.13870 of 2003. However, as averred in the application, it subsequently came to the knowledge of the counsel for the petitioner that CWP No.13870 of 2003 had already been decided by the Division Bench of this Court on November 04, 2003, itself, and after the award was set aside the matter was remitted to the Labour Court for re-decision. It is urged, that vide award dated 26.07.2004, the matter has since been re-decided by the Labour Court and the same has even attained finality, for, it was never questioned by the Municipal Corporation, Panipat. However, it is submitted that all these facts and developments that have come into being in the interregnum have not been stated in this petition, owing to an inadvertent error. And, it is, in these circumstances, the applicants/petitioner seek permission to withdraw this petition, with a liberty to file afresh.

The prayer is not opposed.

Accordingly, the applicants/petitioner are permitted to withdraw the petition with liberty, prayed for.

21.03.2018

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No