

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

CWP No.17014 of 2016

Date of Decision : 23.04.2018

Smt. Santosh

.....Petitioner

Versus

The Divisional Forest Officer, Territorial Bhiwani and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr.S.K.Bhardwaj, Advocate for the petitioner.

Mr. R.K.Doon, AAG, Haryana.

ARUN PALLI, J. (Oral)

The petitioner prays for a direction to the respondents-authorities to reinstate him in service, in compliance to the award dated 17.03.2006 (Annexure P-1), rendered by the Labour Court, Rohtak.

Concededly, services of the petitioner were terminated on 31.08.1999. However, vide award dated 17.03.2006 (Annexure P-1), the Labour court ordered his reinstatement with continuity of service and 50% back-wages. However, in the writ petition filed by the State against the said award, this Court, vide order and judgment dated 9.12.2008, in CWP No.15966 of 2008 (Divisional Forest Officer, Bhiwani and another Vs. Presiding Officer, Labour Court, Rohtak and another), set aside the award, but, as the petitioner had served for more than 12 years before her services were brought to an end she was only paid Rs.1,10,000/-, by way of compensation. Concededly, the Special leave Petition filed by the

petitioner against the decision of this Court has since been dismissed on 13.08.2012. Meaning thereby, the decision of this Court, referred to above, has since attained finality. Therefore, the prayer made in the petition; that is to reinstate the petitioner is wholly mis-conceived and erroneous. Rather, one wonders as to how, this petition would even be maintainable, once the award rendered by the Labour Court does not exist and termination of the petitioner has since become final.

Thus, no ground is made out to interfere in exercise of extraordinary jurisdiction under Article 226 of the Constitution of India. The petition is accordingly, dismissed.

23.04.2018

Manoj Bhutani

(ARUN PALLI)
JUDGE

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