

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

CWP No.17035 of 2016

Date of Decision : 23.04.2018

Jai Parkash

.....Petitioner

Versus

The Divisional Forest Officer, Territorial Bhiwani

..... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

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

Mr. R.K.Doan, AAG, Haryana.

ARUN PALLI, J. (Oral)

The petitioner prays for a direction to the respondent-authority to reinstate him in service, for, the persons junior to the petitioner have not only been reinstated but have since been regularized.

Concededly, services of the petitioner were terminated on 1.1.2000. However, vide award dated 7.1.2008 (Annexure P-1), the Labour Court ordered his reinstatement with continuity of service and 50% back-wages. But, in the writ petition filed by the State against the said award, this Court, vide order and judgment dated 30.04.2009, rendered in CWP No.2023 of 2009 (The Divisional Forest Officer (Territorial), Forest Division, Bhiwani Vs. The Presiding Officer, Industrial Tribunal-cum-Labour Court, Rohtak and another), set aside the said award. Though, the petitioner was awarded a sum of Rs.35,000/- by way of compensation. It is not disputed either that 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 rendered by this Court has since attained finality. Thus, the prayer made in the petition: to reinstate the petitioner is not only mis-conceived but also wholly erroneous.

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