

CWP No.7458 of 2014(O&M)

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

CWP No.7458 of 2014(O&M)

Date of Decision: 25.01.2018

SHAMSUDDIN

....Petitioner

Versus

M/S UNITECH LTD. AND ANR

....Respondents

CORAM:HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. A.P. Bhandari, Advocate
for the petitioner.

None for the respondents.

P.B. BAJANTHRI, J.(Oral)

In the instant writ petition, petitioner has challenged the order passed by the Labour Court dated 07.03.2006 (Annexure P-6) and order dated 13.11.2013 (Annexure P-10).

It is evident from the record that order dated 07.03.2006 do not survive for consideration in view of the later development. Therefore, what remains is order dated 13.11.2013.

Despite giving sufficient time to the respondents, there is no representation. Hence, in the absence of respondents or its counsel the matter is heard.

Learned counsel for the petitioner submitted that his services were terminated and it is a subject matter of reference No.590 of 2003 during pendency of the reference there was a settlement between the parties on 09.11.2004 the same was taken note of by the Labour Court on 16.11.2004. Further a joint application was made by the parties before the Labour Court on 22.11.2004. The Labour Court while deciding the petitions Misc. App. No. 10A of 2008 read with application under Section 33A has failed to notice joint application submitted by the parties on

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22.11.2004. Thus it is evident from the order of the Labour Court that there is no consideration. Hence, order passed by the Labour Court dated 13.11.2013 (Annexure P-10) is set aside. Matter is remanded to the Labour Court to decide applications a fresh within a period of four months from today.

Parties are hereby directed to appear on 12.02.2018 before Labour Court.

Parties are also hereby directed to co-operate in deciding the matter by labour Court.

Petition stands allowed.

[P.B. BAJANTHRI]
JUDGE

January 25, 2018
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no