

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

LPA-750-2014 (O&M)

Date of Decision: September 04, 2018

Pepsu Roadways Transport Corporation, Nabha Road, Patiala

.....Appellant

Versus

Mukhtiar Singh and another

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.Anil Sharma, Advocate for
Mr.Harsh Aggarwal, Advocate
for the appellant.

Mr.Rajeev Anand, Advocate for the respondents.

.....

SURYA KANT, J.(ORAL)

This Letters Patent Appeal assails the order dated 09.10.2013 whereby learned Single Judge allowed the writ petition filed by the first respondent and after setting aside the Award passed by Labour Court dated 01.09.1993, it has been held that there was violation of Sections 25-G and 25-H of the Industrial Disputes Act, 1947 while terminating services of the respondent. Consequently, he has been ordered to be re-instated with 50% back wages.

[2] Unfortunately, the appellant-Corporation remained unrepresented before the learned Single Judge, as no-one appeared on its behalf.

[3] We have heard learned counsel for the parties at length. It appears that the writ petition was admitted on 09.09.1994, but no notice was

issued to the appellant-Corporation, due to which it did not file the written statement nor any one appeared on its behalf. There are debatable issues involved in the matter. It is not expedient for this Court to express any views on merit except to say that this is a case where the appellant-Corporation deserves to be granted one opportunity to file its written statement and assist learned Single Judge on merits.

[3] The appeal is, accordingly, allowed; the order under appeal is set aside and the matter is remitted to learned Single Judge for a fresh adjudication of the writ petition after giving one opportunity to the appellant-Corporation to file its written statement. The first respondent is entitled to cost of ₹10,000/- towards litigation expenses which are ordered to be paid to him on the first date before the learned Single Judge.

[4] The parties are directed to appear before the learned Single Judge on 24.09.2018.

**(SURYA KANT)
JUDGE**

September 04, 2018
meenuss

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned ?	Yes/No
2. Whether reportable ?	Yes/No