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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

COCF No.1736 of 2018
Date of Decision: 04.09.2019

Madan Singh

Petitioner

Versus

Dr. Amarpal Singh, Managing Director, Punjab State Civil Supplies Corporation Limited and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Gurmeet Singh, Advocate for
Mr. Nirmaljeet Singh Sidhu, Advocate
for the petitioner.

Mr. A.D.S. Jattana, Advocate and
Ms. Manpreet Kaur, Advocate
for the respondents.

AVNEESH JHINGAN, J (Oral):

The present contempt petition has been filed pleading wilful disobedience of order dated 08.12.2015 passed by this Court in CWP No.4403 of 1994.

The relevant portion of the order is reproduced below:-

“7. In these special circumstances and by applying the principles in the aforesaid judgments of the Supreme Court, this Court is of the considered opinion that the award passed by the Presiding Officer, Labour Court, Bathinda dated October 04, 1993 deserves to be set aside as not sustainable in the eyes of law. The relief deserves to be moulded by awarding deemed reinstatement from the original termination/retrenchment prior to re-induction in service alongwith notional continuity of service from the date of termination till the date of re-employment as continuous for

purposes of service benefits which may become available to the petitioner as a fallout of the modification of the impugned award by this order. It is ordered accordingly to serve the ends of justice. The original termination order is set aside as illegal for violation of the rights of the petitioner when the need and availability of work continued given the many godowns run by the PUNSUP coupled with the fact that the workplace godown was not shut down never to be opened again.”

On 03.08.2018, learned counsel for the respondents had handed over a bank draft amounting to ₹24,937/- to the petitioner and time was sought.

Today, learned counsel for the petitioner states that respondents have not calculated the amount correctly. However, he states that in view of reply filed and payment made, no cause of action survives for pursuing the contempt petition.

The contempt petition is disposed of as infructuous.

The petitioner would be at liberty to avail remedies in accordance with law, in case some grievance survives including grievance regarding calculation of amount paid.

The rule issued against the respondents stands discharged.

[AVNEESH JHINGAN]
JUDGE

September 04, 2019

pankaj baweja

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