

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

CRWP-933-2019 (O&M)

Date of decision : 22.10.2019

Sarita

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Aditya Partap Singh, Advocate for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

ANIL KSHETARPAL, J. (ORAL)

Prayer in the present writ petition filed under Article 226 of the Constitution of India is for issuance of writ in the nature of habeas corpus.

Allegations are that the detenues, names whereof have been given in para 2 of the petition have been illegally detained and forced to work at the brick kiln belonging to respondent Nos.4 and 5.

On 14.10.2019, following order was passed:-

“Learned counsel for the petitioner contends that 13 persons, names of whom have been mentioned in the representation given to the Deputy Commissioner, District Panchkula (Annexure P-1), are kept as bonded labour by respondents No.4 and 5.

In terms of Section 12 of Bonded Labour System (Abolition) Act of 1976, it is the duty of the District Magistrate and every officer specified by him under section 10 to inquire whether, after the commencement of this Act, any bonded labour system or any other form of forced labour is being enforced by, or on behalf of, any person resident within the local limits of his jurisdiction and if, as a result of such inquiry, any person is found to be enforcing the bonded labour

system or any other system of forced labour, he shall forthwith take such action as may be necessary to eradicate the enforcement of such forced labour.

Notice of motion for 21.10.2019.

On the asking of the Court, Mr. Parveen Kumar Aggarwal, DAG, Haryana, accepts notice on behalf of respondents Nos. 1 to 3.

In the meantime, the District Magistrate, Panchkula shall either himself or shall depute a responsible officer to visit the premises of Brick Kiln under the name and style R.B.T. Bricks Industries situated at village Paploha, Kalka-Baddi Road, Tehsil Kalka, Police Station Kalka, District Panchkula, Haryana and ascertain whether the persons as mentioned in Annexure P-1 are in illegal detention at the said brick kiln and if so, they shall be got released forthwith. A report in this regard shall be submitted in the Court on the date fixed.

To be shown in the urgent list.

A copy of this order be given dasti to learned State counsel under the signatures of Bench Secretary of this Court.”

Learned counsel for the State, on instructions from the Investigating Officer present in the Court, has submitted that District Magistrate had deputed Sh. Karam Singh, Assistant Sub Inspector, to visit the spot, who in compliance thereof, visited the spot and did not find alleged detenues as named in para 2.

In view thereof, the present petition is disposed of having been rendered infructuous.

22.10.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

**Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No**