

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

COCp-3181-2018 (O & M)

Date of Decision: 13.03.2020

Court on its own motion

...Petitioner (s)

Vs.

Jage Ram Station Supervisor, Haryana Roadways Bus Stand Jind, Haryana
and ors.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Ankur Mittal, Addl.A.G., Haryana.

Mr. Manoj Chahal, Advocate,
Mr. Amit Chahal, Advocate, for respondents No.1 to 3.
Mr. Dinesh Arora, Advocate, for respondents No.8 and 10.
Mr. Bhag Singh, Advocate,
for respondents No.18 to 21, 26, 27 & 29.
Mr. Rahi Mehra, Advocate, for respondent No.23.

RAJAN GUPTA, J. (Oral)

It appears *suo motu* cognizance of strike resorted to by the Haryana Roadways Employee Unions was taken by a Single Bench of this court. An undertaking dated 30.08.2017 was furnished by certain representatives of various Unions that they will not resorted to strike. Para 04 thereof is reproduced as under:-

“4. That the deponent will not resort to any direct action of any kind to stall or impede either the functioning of any transport policy or the working of the buses by any other person.”

As employees are alleged to have violated the aforesaid undertaking, contempt notice was issued to them. Vide order dated

it was directed that State would collect evidence by way of videography as to establish who had resorted to strike and tried to damage public property.

Mr. Mittal, learned State counsel, today, seeks to place on record affidavits. Prayer is accepted. Same are taken on record.

Learned counsel are, however, *ad idem* that the situation is now peaceful and the employees are not creating any impediment in the smooth functioning of the buses including private operators. Attention of the court has also been drawn to a recent order passed by the Ist Division Bench dated 04.02.2020, which reads as under:-

“These petitions have been filed in relation to the strike by the Haryana Roadways Employees Union in the year 2018. Necessary interim directions have already been issued by this Court. At this stage, nothing further survives for adjudication in these petitions. These petitions are accordingly disposed of as infructuous.

Since the main petitions have been disposed of as infructuous no orders are required to be passed in civil miscellaneous applications”.

In view of the above, it is prayed before the court that the present petition be disposed of with liberty to the State to initiate disciplinary action, if circumstances so warrant.

Learned counsel appearing for the alleged contemnors submit that they shall abide by the undertaking given earlier and co-operate with the State authorities to ensure smooth functioning of the transport department.

In view of the above, present petition is disposed of with liberty to the State as aforesaid. Contempt notice is hereby discharged.

(RAJAN GUPTA)
JUDGE

March 13, 2020
sukhpreet

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