

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

119

CWP-18270-2020

Decided on : 09.11.2020

Gurnam Singh

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Kuldip Singh, Advocate, for the petitioner.

Mr.Ayush Sarna, AAG, Punjab.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Prayer in the present writ petition, filed under Article 226 of the Constitution of India, is for issuance of writ of mandamus directing the official respondents to get released the dues (pending wages) to the persons mentioned in the list mentioned in para No.3 of the petition. Further direction is sought that the official respondents may be directed to decide the representation dated 20.08.2020 (Annexure P-1).

It is the case of the petitioner that he is a representative of the Punjab Brick Kiln Workers Union Mohalla Guru Teg Bahadur Market, Street No.9, Tibbi, Phagwara, District Kapurthala. The seven persons mentioned in para No.3 of the petition have been set free from the premises of respondent No.5-brick kiln owner, on account of the petitioner having approached this Court in CRWP-3618-2020 on 17.07.2020 (Annexure P-3). In view of the Warrant Officer submitting his report dated 17.06.2020 that the labourers of the brick kiln were not wanting to work there, they were allowed to leave the premises. It is, thus, submitted that the claim for wages from September, 2019 is being raised in the representation.

Counsel for the petitioner submits that he would be satisfied if the representation dated 20.08.2020 (Annexure P-1) is decided by respondent No.2, within a fixed time-frame.

Notice of motion.

Mr.Sarna accepts notice on behalf of respondents No.1 to 4.

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Keeping in view the above facts, this Court is of the opinion that no useful purpose would be served by calling upon the respondents to file reply as the decision making process is still to be completed.

Accordingly, the present writ petition is disposed of, with direction to respondent No.2 to look into the representation dated 20.08.2020 (Annexure P-1) and take appropriate action, in accordance with law. In case the same is to be forwarded to respondent No.4, the needful shall be done and the competent authority then shall take a call on the claim of the said persons.

It is made clear that in case the payment is to be made, appropriate precautions shall be taken that the payment is made to the persons who were released from the brick kiln and no other person(s) is benefitted. Needful shall be done within a period of 4 weeks from the receipt of the certified copy of this order.

NOVEMBER 9, 2020
sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No