

CRWP-9299-2021

Date of Decision:21.12.2021

Israil

...Petitioner

Vs.

State of Haryana and others

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: None for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

On 27.09.2021, the following order had been passed by this court:-

“Case heard via video conferencing.

By this petition, the petitioner seeks the release of the 09 persons whose names are given in paragraph 2 of the petition (they allegedly having been illegally detained by respondents no. 4 and 5 in the brick kiln owned/run by the said respondents).

Notice of motion.

On the asking of the court, Mr. Neeraj Poswal, A.A.G., Haryana, accepts notice on behalf of respondents no. 1 to 3.

A copy of the petition be emailed to learned State counsel by counsel for the petitioner today itself at the asking of the court.

Adjourned to 08.10.2021.

Respondents no. 4 and 5 be served by way of normal process by the next date of hearing.

Process dasti also.

(It is however made clear that service of notice by dasti process shall be effected while taking all precautions as are necessary during this period of the COVID-19 pandemic, including distancing and wearing of mask etc.)

The District Magistrate, Ambala, is directed to immediately appoint the SDM concerned to visit himself the brick kiln

of respondents no. 4 and 5 and determine as to whether the said 09 persons are being illegally detained in the said brick kiln, and if so, naturally they would be got released immediately and appropriate action taken against respondents no. 4 and 5.

A reply by way of an affidavit of the SDM concerned be filed before the next date of hearing.

It is made absolutely clear that this court has made no observation whatsoever on the actual merits of what is contended in the petition, with the above order having been passed only to determine as to whether there is actually an illegal detention or not; and if so, naturally for the SDM concerned to take action as per law.”

Thereafter, a reply dated 07.10.2021 has been filed, by the District Magistrate, Ambala, stating to the effect that all the persons whose names are given in paragraph 2 of the petition have left the brick kiln run by respondents no.4 and 5 for their native village alongwith their belongings, and with even the complainant not found available in the brick kiln, he too having left for his village.

It has also been stated that the said workers were not found to have been kept bonded by respondents no.4 and 5.

That being so, though counsel for the petitioner is not present, I see no reason to continue with this petition, with the District Magistrate himself having filed an affidavit that the persons in question have already left the brick kiln for their native village.

This petition is consequently disposed of as having been rendered infructuous.

December 21, 2021

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned	: YES
Whether Reportable	: NO