

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(101) CM-1969-CWP-2021 in/and
CWP-99-2020
Date of Decision : 23.02.2021

Nangal Khad Factory Majdoor Dal

...Petitioner

Versus

National Fertilizer Limited and others

...Respondents

(through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Naveen Batra, Advocate for the applicant-petitioner.

Ms. Sunint Kaur, Assistant Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

CM-1969-CWP-2021

Learned counsel for the applicant-petitioner submits that the application has already been rendered infructuous as the elections have already been held and therefore, he does not wish to press this application.

Application is dismissed as not pressed.

Learned counsel for the petitioner submits that though the main case now stands adjourned to 12.03.2021, the same may be preponed keeping in view the fact that the grievance of the petitioner is still pending consideration with respondent No. 2 and the petitioner will be satisfied in

case appropriate direction is issued to respondent No. 2 to decide the representation filed by the petitioner in a time bound manner by passing an appropriate speaking order.

Learned State counsel raises no objection with regard to preponing the hearing of the main petition for today.

In view the above, main petitioner is preponed from 12.03.2021 to today.

CWP No. 99 of 2020

As per the averments made in the present writ petition the petitioner has filed a representation dated 09.09.2019 (Annexure P-2) before respondent No. 2 so as to decide that who is the actual representative of the petitioner-Nangal Khad Factory Majdoor Dal as, respondent No. 3 also claims himself to be the President of the same.

Learned counsel for the petitioner submits that the petitioner will be satisfied, in case a direction is issued to respondent No. 2 to decide the representation dated 09.09.2019 (Annexure P-2) filed by the petitioner in a time bound manner by passing an appropriate speaking order.

Learned State counsel raises no objection in deciding the representation dated 09.09.2019 (Annexure P-2) in a time bound manner by passing an appropriate speaking order.

Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the representation dated 09.09.2019 (Annexure P-2), respondent No. 2 is directed to decide the representation dated 09.09.2019 (Annexure P-2) filed by the petitioner by passing an appropriate speaking order within a period of three months from the receipt of copy of this

order.

It is made clear that before deciding the representation dated 09.09.2019 (Annexure P-2), respondent No. 3 be also given a hearing/chance to represent his case before the authorities and objection, if any, is taken by respondent No. 3 before the authorities qua the claim of the petitioner, be taken into consideration, while passing the speaking order.

Writ petition is disposed of accordingly.

February 23, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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