

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRWP No.713 of 2022 (O&M)

Date of Decision: 24.01.2022

(Heard through VC)

Joremon Khatun

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vijay Kumar, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for issuance of a writ in the nature of habeas corpus for release of detenues as mentioned in para 4 of the petition alleged to be detained illegally by respondents No.4 & 5.

Learned counsel for the petitioner herein would contend that petitioner herein received a telephonic call from his brother that owner and *jamadar* of Shri Ram Brick Kiln are not paying their wages and gave them beatings to them if they ask for their wages. The detenues are the close relatives of the petitioner herein.

Learned counsel for the petitioner would further argue that as per the judgment rendered by Division Bench of this High Court in LPA No.32 of 2013 titled as *Murti Vs. State of Punjab and others* decided on 11.01.2013, respondent No.2 has to conduct enquiry as per Section 12 of the Bonded Labour System (Abolition) Act, 1976 by treating the representation given by the aggrieved person as complaint and to get the detenues released forthwith in case they are founded to be bonded labour by private

respondents.

Notice of motion.

Mr. Vikas Malik, DAG, Haryana who is present in Court through VC, accepts notice on behalf of official respondents and submits that the official respondents will look into the matter and will take an appropriate decision. Let sufficient number of copies of the complete paper book be supplied to him during the course of day.

5. In view of the above, the instant petition is disposed of with a direction to respondent No.2 to treat the the instant petition as representation/complaint made by the petitioner and conduct an enquiry as per Section 12 of the Bonded Labour System (Abolition) Act, 1976 and in case the detenues are found in illegal detention of private respondents, they be released forthwith.

January 24, 2022
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No