

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

CWP-11444-2015

Date of Decision: 08.12.2022

Suresh Kumar Mishra

..... Petitioner

Versus

Presiding Officer, Industrial Tribunal, Patiala and another Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Ravi Gakhar, Advocate,
 for the petitioner.

 Mr. Suvir Kumar, Advocate,
 for respondent No.2.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of certiorari quashing the impugned action of respondent No.1 while passing the impugned order dated 10.11.2014 (Annexure P-14) passed by respondent No.1 on the basis of impugned report of the Commissioner dated 03.11.2014 (Annexure P-13); along with certain other prayers.

Learned counsel for respondent No.2 has submitted that during the pendency of the proceedings before the Tribunal, a Local Commissioner was appointed. That Local Commissioner had given detailed calculation qua the entitlement of the petitioner to bonus @ 8.33% of the earned wages for the financial years 2004-05 and 2005-06; and by further adjusting the amount which had already been paid to the petitioner, as well as, the balance amount which was still required to be paid by respondent No.2. The

petitioner was granted opportunity to raise the objection to the said calculation, if any. However, no objection was ever filed by the petitioner. Only thereafter, the amount was deposited by respondent No.2 in the account of the petitioner on 03.12.2014. Hence, nothing is left to be paid to the petitioner.

In view of this factual aspect, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition.

Dismissed as withdrawn, as prayed for.

(RAJBIR SEHRAWAT)
JUDGE

08.12.2022
adhikari

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No