

135

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

CWP-2411-2023

Date of decision : 06.02.2023

Janak Raj Atwal

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Anjali Sheoran, Advocate for the petitioner.

MANOJ BAJAJ, J.

By means of this petition under Article 226 Constitution of India, the petitioner/workman has prayed for issuance of directions to respondent Nos.1 and 2 for expeditious disposal of the industrial dispute bearing reference No. IR-1/2018/41163-68 dated 31.12.2018 (Annexure P-2).

Learned counsel has argued that the reference was sent for adjudication before the Labour Court vide order dated 31.12.2018, but the same is still pending, therefore, necessary directions be issued for expeditious disposal of the case.

During the course of hearing, it is stated by learned counsel that only one witness i.e. chartered accountant remains to be examined on behalf of the workman, therefore, considering the time consumed so far in adjudicating the dispute, the directions be issued for expeditious disposal of the case.

Upon hearing learned counsel and considering the above background, this Court finds that the reference was forwarded to the Labour Court in the end of the year 2018 and thereafter, because of breakout of pandemic COVID-19, there was restricted working in the Courts, therefore, adjudication of the pending cases got delayed.

During the course of hearing, learned counsel has produced the zimni orders passed by the Labour Court and the perusal of the same shows that on 04.03.2022, the case was adjourned for 29.04.2022 as no evidence on behalf of the petitioner was present and it was the last opportunity. Thereafter, on four dates i.e.27.05.2022, 15.07.2022, 05.08.2022 and 10.11.2022 petitioner's witness, namely, Prateek Arya, Chartered Accountant appeared before the Labour Court, but his deposition could not be recorded as petitioner's authorized representative sought adjournment. Thus, it is evident that the delay in conclusion is attributed to the petitioner as either his witness is absent or whenever the witness appears, the adjournment is requested from petitioner's side.

Resultantly, no case is made out for exercising the extra ordinary writ jurisdiction.

Dismissed.

(MANOJ BAJAJ)
JUDGE

06.02.2023
vanita

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