

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-14601-1997 (O/M)

Date of decision : 06.12.2023

Bhakra Beas Management Board and another Petitioners

Versus

Kalyan Singh and others Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Abhaj Josan, Advocate for
Mr. Karan Nehra, Advocate
for the petitioners.

Ms. Tuneet Walia, Advocate
for respondent No. 3.

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HARSH BUNGER, J. (ORAL)

1. The instant writ petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of certiorari, mandamus for quashing order dated 30.04.1997 (Annexure P-7), passed by the Industrial Tribunal-cum-Labour Court, Jalandhar under Section 33-C(2) of the Industrial Tribunal Act, 1947 (hereinafter referred to as '1947 Act').

2. On 24.11.2017, the following order was passed :-

“ This is an application for modification of order dated 07.10.2017. Heard. In view of the reasons mentioned in the application and affidavit same is allowed so also it is a fact that respondent No. 1 died in the year 2000. Therefore, question of taking fresh steps of service of notice to respondent No. 1 through paper publication do not arise. Therefore, petitioners intend to bring their legal representative on record. Accordingly, necessary action be taken by the petitioner.

Hence, order dated 07.10.2017 is recalled. Petitioner is permitted to take necessary steps to serve copy of the writ petition/notice to the legal heirs of respondent no. 1 within a period of 8 weeks from today.”

2. The matter was earlier taken on 07.11.2023, however, there was no representation on behalf of parties. Accordingly, the matter was adjourned for today and Registry was directed to inform the counsel of respective parties.

3. Today, Mr. Abhaj Josan, Advocate (for Mr. Karan Nehra, Advocate) appeared and submitted that order dated 24.11.2017 has not been complied with as they have not been able to locate/ascertain legal heirs of respondent No. 1.

4. In view of aforesaid submission, the instant writ petition is dismissed on account of non compliance of order dated 24.11.2017, passed by a coordinate Bench of this Court.

5. All pending application (s), if any, shall stand closed.

(HARSH BUNGER)
JUDGE

06.12.2023

sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No