

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-3355-2023

Date of Decision : 11.04.2023

Kurban Ali

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present : Mr. Aditya Partap Singh, Advocate for the petitioner.

ASHOK KUMAR VERMA, J. (ORAL)

Prayer in the present petition filed under Article 226 of the Constitution of India is for issuance of a writ in the nature of Habeas-Corpus for the release of detenues as mentioned in para 2 of the petition from the illegal and unlawful custody of respondents No.4 and 5 by appointing a Warrant Officer.

Briefly, the petitioner and the detenues as mentioned in para 2 of the petition were contacted by respondents No. 4 and 5 at their brick kiln under the name and style of M/s Gulia Bricks and Tiles situated at village Chuddani, Police Station Jhajjar (Sadar), Tehsil Bahadurgarh, District Jhajjar for loading and unloading of raw bricks at their brick kiln and assured the petitioner and the detenues that they would not have any problem regarding the payment. Later on, respondents No.4 and 5 have not paid them the agreed amount and only made some part payment according to their convenience. Respondents No.4 and 5 did not allow them to go to their home and earn their

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livelihood in violation of the provisions of Bonded Labour System Abolition Act, 1976. The petitioner has also moved a representation/application dated 05.04.2023 (Annexure P-1) to respondent No.2-District Magistrate, Jhajjar, in this regard but till date no action has been taken on the said representation. Hence, the present writ petition.

Learned counsel for the petitioner submits that at this stage he would be satisfied if the present writ petition is disposed of with a direction to respondent No.2 to examine and take action on the issues raised by the petitioner in his representation/application dated 05.04.2023 (Annexure P-1).

I find the prayer made by learned counsel for the petitioner to be reasonable.

Accordingly, at this stage, without commenting on the merits of the case, the present petition is disposed of with a direction to respondent No.2–District Magistrate, Jhajjar, to examine the representation/application dated 05.04.2023 (Annexure P-1), submitted by the petitioner and decide the same as expeditiously as possible. If some substance is found in the averments made in the representation, respondent No.2 shall take further action in accordance with law.

(ASHOK KUMAR VERMA)
JUDGE

11.04.2023
Kothiyal

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