

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCOCN-1580-2019 (O&M)
Date of decision: 23.03.2023

Ram Narain

....Petitioner

Versus

Dharamvir Singh and Another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vivek Sharma, Advocate
for the petitioner.Mr. Ashish Yadav, Advocate
for the respondents.**ARVIND SINGH SANGWAN J. (Oral)**

The petitioner alleges violation of the order dated 17.08.2017 vide which while holding that the Labour Court was erred in upholding the termination of the petitioner, the order of termination dated 31.05.1999 and the award of the Labour Court dated 18.12.2012, were set-aside, however, no consequential benefits is given in the order.

Counsel appearing for the respondents has argued on the similar line that after counting the entire length service of the petitioner, the deemed date of retirement i.e. 31.10.2010 was given and his retiral benefits were calculated and sanction was granted on 03.09.2019 and Rs.5,19,980/- were paid.

Counsel for the respondents has referred to the judgment of the Hon'ble Supreme Court "*RSRTC and another vs Ladulal Mali*", 1996(8) SCC 37, "*Rajasthan State Road Transport Corporation vs*

Shyam Bihari Lal Gupta”, 2005(4) RCR (Civil) 217 and “*The State of Madhya Pradesh vs Mangilal Sharma*”, 1998(1) SCT 322, to submit that where in a judgment passed by the Court only a declaration is given and there is no order with regard to grant of any consequential benefits like back wages or arrears, etc. the same cannot be granted in a subsequent proceedings like execution. It is also submitted that even in the contempt petition, the Court is only to see whether the order has been complied with or not and in this case, compliance has already been made.

Accordingly, the present petition is dismissed.

However, liberty is granted to the petitioner to avail the alternative remedy in accordance with law, if so advised.

(ARVIND SINGH SANGWAN)
JUDGE

23.03.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No