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

**CWP-9504-2012 (O&M)
Date of Decision: 26.05.2023**

Kewal Krishan

.. Petitioner

Vs.

Presiding Officer, Labour Court, Jalandhar and another

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioner.

Mr. Sanjay Tangri, Advocate
for the respondent No.2.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this writ petition under Article 226 Constitution of India for issuance of a writ of Certiorari for quashing the order dated 14.09.2011 (Annexure P-6) passed by respondent No.1, whereby *ex parte* award dated 03.10.2001 passed in his favour holding that he is entitled to reinstatement with continuity of service and full back wages, was set aside.

Vide order dated 31.07.2013, this case was adjourned *sine die* to await the outcome of SLP (C) No.7225 of 2008 titled as “*Ram Shiroman Mishra Vs. Vishwanath Pandey*”.

Today, learned counsel for respondent No.2 states that SLP (C) No.7225 of 2008 has been finally disposed of by the Hon'ble Apex Court vide order dated 18.05.2018 holding that Labour Court/Tribunal is not *functus officio* after the award became enforceable as far as setting aside an *ex parte* award is concerned. He further states that after passing of impugned order dated 14.09.2011, the industrial dispute raised through

Industrial Reference No.162/2000 has now been finally disposed of by the Industrial Tribunal-cum-Labour Court, Jalandhar vide decision dated 01.12.2017 and reference has been answered against the petitioner/workman.

In view of the above, nothing survives for adjudication in the present petition and the same is rendered infructuous.

Disposed of.

26.05.2023
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No