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

Date of Decision: 08.05.2023

1. CWP-5983-2014 (O&M)

Raj Kumar

.. Petitioner

Vs.

**The Presiding Officer, Industrial-cum-Labour Court, Patiala and
another**

..Respondents

AND

2. CWP-7520-2014 (O&M)

Raj Kumar

.. Petitioner

Vs.

**The Presiding Officer, Industrial-cum-Labour Court, Patiala and
another**

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Divya Sharma, Advocate for
Ms. Preeti Sharma, Advocate for the petitioner.

Mr. Ajayvir Singh, Advocate
for respondent No.2.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed the above writ petitions to challenge the impugned awards dated 06.02.2014 (Annexure P-1) passed by Industrial Tribunal-cum-Labour Court, Patiala, whereby the industrial dispute raised by petitioner against his removal from service, and the claim under Section 33-C(2) Industrial Disputes Act, 1947 was answered against him.

On 02.04.2014, this Court while issuing notice of motion in CWP-5983-2014, passed the following order:

“Counsel for the petitioner contends that the order of termination from service on 10.01.2005 was not justified keeping in view the fact that he had a long service of 16 years, having been appointed on 16.01.1989 and also in view of the fact that the proved misconduct was only regarding absence from duty.

During the hearing, it transpires that the petitioner is also in occupation of the accommodation given by the University and has filed civil proceedings by virtue of which, he continues to be in possession.

Keeping in view the cumulative factors mentioned above and the fact that the petitioner is now 64 years old and in view of the affidavit filed by the petitioner today in Court that he is ready to vacate the house given by the University which is in his possession and withdraw all the cases related to the said house. A lenient view can, thus, be taken and the order of termination of his service can be converted into that of compulsory retirement under Section 11-A of the Industrial Disputes Act, 1947, so that he may be entitled for pensionary benefits.

*Notice of motion for 05.05.2014.
Dasti only.”*

Today, Mr. Ajayvir Singh, learned counsel for respondent-management has produced the decision dated 21.04.2023 of the Committee constituted by the Vice Chancellor and submitted that the punishment imposed upon the petitioner has been revisited and it has been decided that instead of termination of petitioner's services, he has been compulsorily retired w.e.f. 10.01.2005, and with this, he would be entitled to the retiral benefits.

At this stage, learned counsel for the petitioner states that the grievance of the petitioner has been redressed, and nothing survives for adjudication in these writ petitions.

Petitions are dismissed as infructuous.

08.05.2023
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No