

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

CWP-22112-2022

Date of decision : 23.01.2023

Nathan

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Amrita Garg, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has preferred this writ petition under Article 226 Constitution of India for issuance of a writ in the nature of mandamus by way of directions to respondent Nos.2 and 3 to issue release certificate to him as per Bonded Labour System (Abolition) Act, 1976. Further, the prayer has been made to provide the interim relief amount of Rs.20,000/- to petitioner as per Central Sector Scheme for Rehabilitation of Bonded Labourers, 2016.

Learned counsel for the petitioner has argued that the petitioner was employed as worker in March, 2021 with respondent No.5 on the pretext that he would be paid wages, but after joining the work, he was forcibly kept in confinement and was forced to work without any wages. Learned counsel has drawn the attention of the court to the statement of the petitioner (Annexure P-3) recorded on 05.01.2022 by the Sub Divisional Magistrate/respondent No.3 and contended that the proper inquiry in terms of the Standard Operating Procedures contemplated pursuant to the provisions of The Bonded Labour System (Abolition) Act, 1976 was not followed,

particularly in the light of Clause 3.3 relating to the inquiry.

At this stage, Mr. Sukhdeep Parmar, DAG, Haryana appears and has produced the inquiry report dated 05.01.2022 conducted by Committee consisting of four members, wherein it is concluded that the petitioner was never kept as a bonded labour as claimed and further Station House Officer/respondent No.4 was also directed to look into the issues, and when he conducted inquiry on 06.01.2022, the co-villagers of the petitioner were still working with respondent No.5. According to Mr. Parmar, learned State counsel, inquiry report dated 05.01.2022 makes it clear that the claim of the petitioner raised in this writ petition on the ground of violation of the Standard Operating Procedure is misplaced. He has produced the copy of the inquiry report dated 05.01.2022 and the same is taken on record. A copy thereof has been furnished to learned counsel for the petitioner.

At this stage, learned counsel for the petitioner does not press this writ petition in order to challenge the inquiry report etc. and prays for withdrawal of the same.

The prayer is accepted.

The petition is ordered to be dismissed as withdrawn.

(MANOJ BAJAJ)
JUDGE

23.01.2023
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No