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CWP-12128-2000 (O&M)
Decided on : 21.08.2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Satan Dass

Versus

Presiding Officer,
Labour Court, Bathinda and others

... Appellant(s)

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Abhishek Kaushik, Advocate
for the petitioner(s).

None for the respondent(s).

SANJAY VASHISTH, J. (Oral)

1. Petitioner – Satan Dass, Mali (Gardner) has filed the instant writ petition, by challenging the award dated 06.06.2000 (Annexure P-6), passed by learned Labour Court, Bathinda, whereby, Reference No.162 of 1996, has been partially answered in favour of the workman (petitioner herein).
2. While deciding issue No.2, learned Labour Court observed that before terminating the services of the workman, no notice was served upon him, and thus, the said issue was decided in favour of the workman. Accordingly, ordered for reinstatement with continuity of services, but without back wages.

It is, therefore, the workman (petitioner) has filed the present writ petition for raising his claim again *qua* the back-wages.

3. Learned counsel for the petitioner submits that despite making



best of the efforts, no one has contacted him, and therefore, he is unable to explain the updated status of the situation. Thus, pleads no instructions.

In this situation, this Court is left with no other option, except to dismiss the present writ petition, as the same being not prosecuted.

4. Accordingly, present writ petition stands **dismissed for non-prosecution**.

5. However, in case, any substantive issue still exists along with cause of action, requiring its adjudication; liberty is granted to the petitioner to move an appropriate application for seeking revival of the present writ petition, within eight weeks from today.

6. It is clarified that if any such application is filed for seeking revival of the writ petition by the petitioner, an advance copy of the application would also be delivered to the opposite counsel i.e. respondent(s), and in case, writ petition is revived for its disposal on merits, for no reason, except for the exceptional circumstances, hearing of the writ petition would be deferred. Therefore, both the sides should remain present and ready for the purpose of addressing the final arguments.

7. Registry is directed to forward copy of the today's order at the address of the petitioner mentioned in the writ petition.

Misc. application(s), if any, also stands disposed of.

(SANJAY VASHISTH)
JUDGE

August 21, 2024

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No