

CWP-14077-2000 (O&M) & 1
CWP-13714-2000 (O&M)

2024:PHHC:132144



203+2

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1) CWP-14077-2000 (O&M)
Date of Decision:04.10.2024

STATE OF PUNJAB AND ORSPetitioners

Versus

DARSHAN SINGH AND ANOTHERRespondents

2) CWP-13714-2000 (O&M)

DARSHAN SINGH Petitioner

Versus

PRESIDING OFFICER, LABOUR COURT, BATHINDA AND ORS
..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Aman Dhir, DAG, Punjab.

Mr. Harinder Sharma, Advocate
for the respondent No.1 in CWP No.14077 of 2000 and
for the petitioner in CWP No.13714 of 2000.

JAGMOHAN BANSAL, J. (Oral)

1. By this common order CWP-14077-2000 and CWP-13714-2000 are disposed of since issue involved in both the petitions are common. With the consent of parties and for the sake of brevity, facts are borrowed from CWP-14077-2000.

2. The petitioner-State of Punjab through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of award dated 26.05.2000 whereby Labour Court, Bathinda has ordered to reinstate the workman with continuity of service and without back wages.



3. The workman has filed CWP No.13714 of 2000 seeking back wages and State has filed present petition seeking setting aside of order of reinstatement and continuity of service.
4. Learned State counsel, at the outset, submits that workman has passed away on 28.01.2019.
5. Learned counsel for the parties are unable to point out the date on which the workman was reinstated and period he served after his reinstatement.
6. Keeping in mind paras 50-52 of judgment of Supreme Court in *Central Council for Research in Ayurvedic Sciences and another v. Bikartan Das and others, 2023 SCC OnLine SC 996*; the fact that workman was reinstated and has passed away, this Court does not find it appropriate to invoke its writ jurisdiction to set aside/modify order passed by Labour Court, Bathinda.
7. In the wake of above discussion and finding, the present petitions deserve to be dismissed and accordingly dismissed.
8. Pending misc. application (s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

04.10.2024
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No