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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-18687-1997 (O&M)
Date of Decision: 11.11.2024

THE KUNJAR JADID BANGOWANI COOP. AGRICULTURAL
SERVICE SOCIETY LTD Petitioner

Versus

PRESIDING OFFICER, LABOUR COURT, GURDASPUR AND
ANR Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. P.K. Mutneja, Sr. Advocate with
Ms. Suverna Mutneja, Advocate
for the petitioner.

Mr. Dinesh Kumar, Advocate for
Mr. Arvind Galav, Advocate
for respondent No.2.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of Award dated 29.04.1997 (Annexure P-8) whereby Labour Court has answered the reference in favour of the workman.

2. The Labour Court by impugned order has ordered to reinstate the workman with full back wages. The workman during the pendency of present petition was paid last drawn salary in terms of Section 17B of Industrial Disputes Act, 1947 (for short 'ID Act').

3. As conceded by both sides, the workman attained the age of superannuation in 2013. He got last drawn salary up to 2013. The dispute of reinstatement does not survive and the question of back wages has to



be adjudicated.

4. Mr. P.K. Mutneja, Sr. Advocate for the petitioner submits that he has no instructions from his client, thus, he cannot make any statement.

5. Dismissed with liberty to petitioner to move an appropriate application, if cause survives.

6. Pending misc. application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

11.11.2024
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>