

CWP-1978-1997

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-1978-1997
Decided on: January 30, 2024

Patiala Computers Pvt. Limited

...Petitioner

Versus

The Presiding Officer, Labour Court, Patiala and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Amit Jain, Senior Advocate, with
Mr. Aryaman Thakur, Advocate,
for the petitioner.

Mr. A.S. Pannu, Advocate,
for Mr. Vikas Singh, Advocate,
for respondent No. 2.

SANJAY VASHISTH, J.

1. Present writ petition has been directed by petitioner-Management, i.e. Patiala Computers Pvt. Limited, challenging the *ex parte* award dated 07.09.1995 (Annexure P-3), and the order dated 18.10.1996, vide which application moved by the petitioner-Management for setting aside of the *ex parte* proceedings, was also dismissed by the learned Labour Court, Patiala.

2. Mr. Amit Jain, learned Senior counsel, while appearing on behalf of the petitioner-Management refers to the application dated 09.05.1996, for setting aside of the *ex parte* award dated 07.09.1995, and submits that, in fact, petitioner-Management was not aware of any such proceedings and the factum of passing of the impugned award was

acknowledged by it only on receiving of notice on 03.05.1996.

3. I have gone through the contents of the application and find that there are some misstatements, may be due to inadvertent typographical error. Learned counsel for the petitioner-management is also unable to assist the Court to clear the confusion in regard to the contents of the application i.e. regarding mentioning of the dates.

4. Even this Court could not be apprised of the status of the execution or whether the said award was ever implemented and the benefit of reinstatement alongwith other consequential benefits, have been extended to the workman or not.

5. Incidentally, learned counsel representing respondent No. 2-workman is also unable to give any explanation in reference to the clarifications asked for by this Court.

6. Even at one point of time, learned Lok Adalat of this Court also expressed its difficulty in its order 06.12.2016, the same is also reproduced hereunder:-

“Daily Lok Adalat

Bench No. 2
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Present: None for the petitioner.
None for respondent No. 2.
** * * * **

As per office report, learned counsel for the petitioner and respondent No. 2 have been informed but none has come present. Notice issued to the petitioner has been received back with the report, “There is no such office at this address.” Notice issued to respondent No. 2 has been received back with the report, “not residing on given address.”

In view of these facts, there is no possibility of compromise in this case in Lok Adalat. Hence, the same is sent

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back to the Hon’ble High Court for adjudication.

*Sd/-
(R.K. Nehru)
President
Sd/-
(Ram Chand Gupta)
Member*

06.12.2026”

7. In the aforementioned backdrop of the circumstances, this Court is of the view that no useful purpose is being achieved by keeping this petition pending.
8. In such circumstances, present writ petition is disposed of for want of prosecution. However, in case any substantial cause of action still survives, either of the parties i.e. management or workman, would be at liberty to move appropriate application for seeking revival of the present petition, within a period of eight weeks from today.
9. Writ petition stands disposed of.

**(SANJAY VASHISTH)
JUDGE**

January 30, 2024
Pkapoor

Whether speaking/reasoned? **✓Yes/No**
Whether reportable? **Yes/No✓**