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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-2978-1997

Date of Decision:01.08.2024

MOHAN BOTTLING COMPANY PRIVATE LTD.

..... Petitioner

Versus

THE PRESIDING OFFICER, LABOUR COURT LUDHIANA &
ANR.

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

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

JAGMOHAN BANSAL, J. (Oral)

1. On 23.01.2024, the following order was passed:

“As per the facts narrated in the present writ petition, respondent No.2-Atma Singh (Workman) was charge-sheeted on 20.06.1989 by the petitioner-Management for misconduct committed by him at the age of 55-56 years, when he was about to retire.

After acceptance of the alleged charges, workman accepted his fault and agreed for voluntary retirement. After about 4 months of the acceptance of the voluntary retirement, a demand notice dated 07.03.1990 was issued, on the basis of which reference has been answered in favour of workman wherein, he was held entitled for reinstatement with continuity of service with full back wages from the date of the demand notice.

Mr. Pawan Kumar Mutneja, Sr. Advocate informs the Court that vide order dated 03.03.1997, while issuing notice



of motion, operation of the impugned award dated 23.08.1996 was stayed and the writ petition was admitted vide order dated 05.08.1997. While explaining the aforementioned facts, counsel also submits that during the pendency of the writ petition, petitioner-management has closed its business and the land on which the industry was existing has also been sold out. Court is apprised that the then representing counsel for the respondent No.2-workman Mr. B.N. Sehgal, has expired and therefore a notice is required to be issued to the respondent (Workman).

Registry is directed to issue notice to Atma Singh-respondent No.2 at the address mentioned in the petition.

Adjourned to 01.08.2024.”

2. There is no representation on behalf of the respondents.
3. Mr. P.K. Mutneja, Sr. Advocate submits that a sum of ₹1,80,000/- was paid to respondents on 04.08.2011, pursuant to orders of this Court.
4. All the assets of the petitioner’s company have already been sold by Official Liquidator. The company is neither having running business concern nor any assets.
5. Considering the development which has been taken after filing of present petition, this Court is of the considered opinion that present petition needs to be disposed of as infructuous.
6. Disposed of as having been rendered infructuous.

(JAGMOHAN BANSAL)
JUDGE

01.08.2024
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No