

CWP-3553-1997

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CWP-3553-1997
Decided on: January 30, 2024**

Natha Singh

...Petitioner

Versus

The Presiding Officer, Labour Court, Ludhiana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the petitioner.

Mr. Raman Mahajan, Advocate,
for respondent Nos. 2 to 4.

SANJAY VASHISTH, J.

1. This writ petition has been directed at the instance of Natha Singh, Driver (workman), with a prayer to modify the award dated 06.04.1995, passed by the learned Labour Court, Ludhiana, whereby reference under Section 10(1)(c) of the Industrial Disputes Act, 1947, has been answered in favour of the workman. Learned Labour Court while passing a direction for reinstatement of the workman alongwith continuity of service also ordered entitlement of 50% backwages, in favour of the petitioner-workman.

2. Mr. Raman Mahajan, Advocate, puts in appearance on behalf of respondent Nos. 2 to 4, and submits that in consequence to the implementation of the award, the relief granted was extended to the workman and after crossing the age of superannuation, petitioner-workman

stood retired on 30.09.2007. Even, all other retiral benefits have also been

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released to him. However, learned counsel appearing on behalf of the management, very fairly submits that he is not having any definite information regarding payment of 50% backwages.

3. This Court finds that there is no representation on behalf of the petitioner-workman. Even at one point of time, Daily Lok Adalat of this Court also expressed its difficulty in its order dated 18.10.2016, which says as under:-

“Daily Lok Adalat
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Bench No. 1

CWP No. 3553 of 1997
NATHA SINGH V/S POLC & ORS

Present: None
for the petitioner

None
for the respondent
* * * *

The Labour Court had ordered the reinstatement of the workman with continuity of service and 50% back wages. The Management filed a writ petition against the award which was dismissed. Thereafter the present writ petition was filed by the workman for claiming full back wages instead of only 50%. Nobody has put in appearance on behalf of the parties. In their absence the case cannot be settled by way of compromise before the Lok Adalat. In these circumstances, we have no option but to send the case back to the Hon’ble High Court for adjudication.

Sd/-
(R.S. Mongia)
President
Sd/-
(Arvind Kumar)
Member”

18.10.2016

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4. In the aforementioned backdrop of the circumstances, when there is no one to assist the Court on behalf of the petitioner-workman, as to whether any substantial cause is left to be adjudicated by the Court, as raised by the petitioner-workman in the present petition, this Court finds that no useful purpose is being achieved by keeping this petition pending for an indefinite period.

5. In such circumstances, present writ petition is disposed of for want of prosecution. However, in case any substantial cause of action still survives, the petitioner-workman would be at liberty to move appropriate application for seeking revival of the present petition, within a period of eight weeks from today.

6. Writ petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 30, 2024
Pkapoor

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