

Neutral Citation No: 2024.PHHC.107155



CWP-2799-1999

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-2799-1999

Decided on:21.08.2024

Sher Singh

.... Petitioner

Versus

The Presiding Officer, Labour Court, Ludhiana and another

....Respondents

CORAM:HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sandeep Singh Gill, Advocate for the petitioner.

Ms. Pooja Yadav, Advocate for

Mr. Arshdeep, Advocate for respondent No.2.

SANJAY VASHISTH, J.(Oral)

1. Present writ petition has been filed by the petitioner, challenging the award dated 12.06.1998 (Annexure P-2), passed by learned Industrial Tribunal-cum-Labour Court, Ludhiana, whereby reference No. 812 of 1991 has been answered against the workman-petitioner.

While examining the sustainability of the action of termination of services of workman, learned Tribunal concluded that workman had been convicted for the offence under Section 382 IPC regarding the commission of theft of some amount and no document was placed on record to show that he was subsequently acquitted in the said criminal case. The action of termination of services of the workman on 15.01.1997 was held to be sustainable in the eyes of law.

2. It is noticed that the present writ petition is pending since the year 1999. Learned counsel appearing on behalf of the petitioner-workman



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expressed his inability to apprise the Court about the updated status of the circumstances as to whether the workman is still interested in challenging the findings recorded by learned Tribunal. He further submits that despite making efforts, no one has contacted him, therefore, in the absence of instructions, he is unable to assist the Court.

2. This Court is left with no other option except to dispose of the present writ petition being not prosecuted.

3. However, liberty is granted to the petitioner to move an appropriate application for seeking revival of the present writ petition, within three months from today, in case, any substantive issue still exists along with a cause of action to petitioner.

4. It is clarified that in case, application for recalling/restoration of the writ petition is filed, then at the time of hearing of the said application, counsel for the petitioner shall be ready with final arguments in the writ petition.

5. Let a copy of this order be also forwarded to the petitioner at the address mentioned in the memo of parties.

21.08.2024

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Whether speaking/reasoned
Whether reportable?

[SANJAY VASHISTH]
JUDGE

Yes/No
Yes/No