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

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Decided on : 15.02.2024

Ashok Kumar

... Petitioner(s)

Versus

The Presiding Officer,
Labour Court, Patiala and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: None.

SANJAY VASHISTH, J. (Oral)

1. By way of present writ petition, petitioner – Ashok Kumar (workman) has challenged the award dated 26.03.1997 (Annexure P-2), passed by respondent No.1 – learned Presiding Officer, Labour Court, Patiala (for brevity, ‘learned Labour Court’), whereby, reference No.398/1994, forwarded by the Government under Section 10(1)(C) of the Industrial Disputes Act, 1947 (in short, ‘ID Act’), was answered against the workman.

2. Question before the learned Labour Court was in regard to the termination of the service of the petitioner – workman, whether the same is justified or not ?

3. Learned Labour Court while dealing with the issue found that even if the workman is found to be entitled for reinstatement, same cannot be ordered without making the concerned Gram Panchayat, as party to the proceedings.

4. There being no one present on behalf of the petitioner or the respondents, the Court is unable to proceed with the issue raised in the

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present writ petition for its adjudication, whereas, writ petition is lying admitted since 28.05.1997. After such a long period, there is always uncertainty, whether any material question still exists or not, warranting its adjudication by the Court under Article 226 of the Constitution of India.

5. Therefore, present writ petition is **dismissed for want of prosecution**. However, it is observed that in case any substantial cause still survives with the petitioner, requiring its adjudication, an appropriate application can be moved for seeking revival of present writ petition, within eight weeks from today.

Registry is directed to forward a copy of this order to the petitioner at the address mentioned in the memo of parties.

(SANJAY VASHISTH)
JUDGE

February 15, 2024

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*