

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

205

CWP-7650-1997

Date of Decision: 13.02.2024

Gopal Dutt

.... Petitioner

Versus

The presiding officer, Labour Court, Chandigarh and anr

....Respondents

CORAM:HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the petitioner.

Ms. Suverna Mutneja, Advocate for the respondent No.2

SANJAY VASHISTH, J.(Oral)

1. Petitioner-workman (Gopal Dutt) has filed the present petition challenging the award dated 12.08.1996, whereby reference under Section 10 (1) (C) of the Industrial Disputes Act, 1947 was answered in favour of the Management, however, workman was held entitled for backwages from 21.05.1988 to 25.06.1988.

2. Perusal of the file reveals that earlier Mr. N.S. Bawa, Advocate used to appear on behalf of the petitioner and Mr. P.K. Mutneja, Sr. Advocate used to appear on behalf of the respondent No.2.

3. On 17.10.2016, the following order was passed by the Daily Lok Adalat:

'Present: None for the petitioner.

None for the respondent.

The concluding portion of the Labour Court award passed on 12.08.1996 is to the following effect.

"For what I have said above, I answer the reference against the workman and in favour of the management but with the rider that workman is entitled to wages from 21.05.1988 to 25.06.1988. Appropriate Government be informed."

For the main relief the reference was declined by the Labour Court and that is why the workman filed the present writ petition.

In these circumstances, there is no likelihood of the matter being settled by way of compromise before the Lok Adalat. Consequently, the case is sent back to the Hon'ble High Court for adjudication.'

4. By referring the findings recorded by learned Industrial Tribunal-cum-Labour Court, counsel appearing on behalf of respondent No.2 submits that as per the well reasoned findings, workman was not entitled for the relief of reinstatement in service.

5 There being no representation on behalf of the petitioner, it seems that the petitioner is not interested in pursuing the present writ petition, therefore the same is dismissed for want of prosecution.

6. However, petitioner will be at liberty to move an application for revival of the present petition within eight weeks from

today, in case any substantial issue for its warranting decision still survives.

February 13, 2024	[SANJAY VASHISTH]
<i>rashmi</i>	JUDGE
Whether speaking/reasoned	yes/no
Whether reportable?	yes/no