

CWP-7424-1998

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-7424-1998
Decided on : 15.03.2024

Phoolan

. . . Petitioner(s)

Versus

Presiding Officer, Labour Court,
Faridabad and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sumit Sinha, Advocate
for the petitioner(s).

Mr. Satish Singla, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. Petitioner – Phoolan (worklady), has assailed the award dated 11.06.1997 (Annexure P-3), whereby, Reference No.701/93, under Section 10(1)(C) of the Industrial Disputes Act, 1947 (in short, ‘ID Act’), has been partially answered against her.
2. Learned Labour Court-II, Faridabad, held that the workman was employed for seasonal working, and therefore, she may not be provided employment for all 12 months around the year. However, she would be provided work in preference to other workmen, who are junior to her and she would not be retrenched or ousted from service as long as her juniors are not retrenched or ousted. However, no benefit in regard to the back-wages was granted.
3. As per the facts mentioned in the impugned award, petitioner joined as ‘Mali’ on 05.02.1988 and was terminated from the service in the month of September, 1992. Thereafter, industrial dispute was raised and

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reference has been answered by the Learned Labour Court on 11.06.1997 (P-3), and since then, the present writ petition is pending before this Court.

4. Counsel appearing for the petitioner – workman, submits that in the absence of any instructions from the petitioner, he is not in a position to address arguments, because, petitioner has never contacted his office, after filing of the present writ petition. Thus, pleads no instructions.

5. In view of the statement made by counsel for the petitioner, this Court is left with no other option except to dispose of the writ petition for want of prosecution.

6. **Dismissed for want of prosecution.**

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

(SANJAY VASHISTH)
JUDGE

March 15, 2024

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*