2024:PHHC:168265

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-16274-2000
Date of Decision:16.12.2024

RAJENDER SHAHU ..... Petitioner

Versus

THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, GURGAON AND OTHERS ..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Ashwani Bakshi, Advocate
for the petitioner.

Mr. Anil Chawla, Advocate
for respondent No.3.

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JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of Award dated 03.04.1998 (Annexure P-4) whereby Labour Court has rejected his claim. The operative portion of Award dated 03.04.1998 passed by Labour Court is reproduced as below:

> *"2. According to the claim statement, the petitioner was appointment as Checker by the respondent-management w.e.f. 10.11.1994. The petitioner had rendered duty upto 5.2.1996, and his services were illegally terminated on 6.2.1996 without complying with the provisions of section 25(F) of the Industrial Disputes Act, 1947. The petitioner drawing salary of Rs. 1661/- per month. The petitioner has sought his re-instatement with continuity of service and full back wages.*

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3. Summons issued to the management have been received back undelivered with the report that the factory has been closed.

4. The AR for the petitioner had stated on 29.4.1997 that the factory had been closed. The AR for the petitioner had sought time to furnish correct address of the management. The AR for the petitioner has availed of several opportunities to submit correct address of the management but he has not been able to do so. In this view of the matter the claim of the petitioner is rejected for want of prosecution."

2. Concededly, the Unit where petitioner was working was taken over by Haryana State Industrial Development Corporation (for short 'HSIDC') and further sold to another Organization. There is nothing on record disclosing whether Unit was sold as running Unit or only its assets were sold.

3. Mr. Ashwani Bakshi, Advocate for the petitioner confirms that he has no contact with his client. With the efflux of time, the entire exercise has become academic.

4. Dismissed, with liberty to petitioner to move an appropriate application, within three months from today, if cause survives.

(JAGMOHAN BANSAL)
JUDGE

16.12.2024
Ali

Whether speaking/reasoned Yes/No
Whether Reportable Yes/No

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