

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16525-2016 (O&M)
DECIDED ON: 18.03.2024

MAHARISHI DAYANAND UNIVERSITY ROHTAK THROUGH
ITS REGISTRAR
.....PETITIONER
VERSUS

PRESIDING OFFICER LABOUR COURT ROHTAK AND ANR
.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: None for the petitioner.

Mr. Sandeep Singal, Advocate
for respondent No.2.

SANJAY VASHISTH, J (ORAL)

1. By way of present writ petition, petitioner – Maharishi Dayanand University, Rohtak, has assailed the award dated 30.03.2016 (Annexure P-1), passed by learned Industrial Tribunal-cum-Labour Court, Rohtak, whereby reference No.29 of 2011, has been answered in favour of respondent No.2-workman.

Management had terminated the services of respondent No.2 – workman and said termination order has been set aside by imposing the penalty of stoppage of two grade increments with cumulative effect, upon the delinquent Sh. Jagbir, Peon and his period of absence from duty has been ordered to be treated as extra-ordinary leave (without pay).

Petitioner – Management was ordered to reinstate respondent No.2, within a period of two months, from the publication of the award.

2. Counsel for respondent No.2 - workman informs the Court that in the present writ petition filed by the Management, no stay of the operation of the impugned award, was ever granted by this Court and

moreover, the award has been implemented partially, by taking back the workman in service.

3. He further informs the Court that after joining the service, he served with the Department. However, today, a fact is acknowledged to him that respondent No.2 has expired, during the pendency of the present writ petition. Thus, he submits that present writ petition can be disposed of, as no issue is left for its adjudication, unless the same is pointed out by the petitioner – Management, in specific.

4. On the other hand, there being no representation on behalf of the petitioner, this Court is unable to continue with the proceedings of the present writ petition and therefore, considers that present writ petition is worth to be disposed of, being rendered infructuous, as stated by counsel for respondent No.2.

5. Accordingly, present writ petition stands disposed of, as the same being rendered infructuous.

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

7. Registry is directed to forward copy of the today's order at the address of the petitioner mentioned in the writ petition.

(SANJAY VASHISTH)
JUDGE

18.03.2024

Lavisha

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*