



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

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**CWP No.969 of 2016 (O&M)
Date of decision : 14.11.2024**

**EXECUTIVE ENGINEER ADAMPUR WATER SERVICES DIVISION
HISAR AND ANOTHER ..PETITIONERS**

VS.

SMT. DARSHNA AND ANOTHER ..RESPONDENTS

CWP No.9720 of 2016

SMT. DARSHNA ..PETITIONER

VS.

**PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, HISAR AND OTHERS ..RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Raman Sharma, Addl. AG, Haryana
Advocate for the petitioner (s).

Mr. Vivek Khatri, Advocate
for respondent No.1.

JAGMOHAN BANSAL, J.(ORAL)

1. By this common order CWP No.969 of 2016 and CWP No.9720 of 2016 are being disposed of since issues involved in both the petitions and prayer sought are common. With the consent of parties and for the sake of brevity, facts are borrowed from CWP No.969 of 2016.

2. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of Award dated 15.09.2015 (Annexure P-3) whereby Labour Court has answered the reference in favour of the workman.



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CWP No.9720 of 2016**

3. Mr. Raman Sharma, Addl. AG, Haryana submits that pursuant to orders of Labour Court, the workman has been permitted to re-join. She re-joined on 13.11.2024. Thus, the instant petition has rendered infructuous.

4. Mr. Vivek Khatri, Advocate does not dispute the afore-stated factual position. He further submits that workman may be granted continuity of service.

5. There is no order *qua* continuity of service by Labour Court. The workman was working as part time Sweeper. She was neither a regular employee nor working for minimum hours. She off & on and for few hours a day was engaged. In these circumstances, the order for continuation of service cannot be granted.

6. In the wake of statement of both sides, the petitions stand disposed of.

7. Pending misc. application(s), if any, shall also stand disposed of.

November 14, 2024
Poonam Sharma

(JAGMOHAN BANSAL)
JUDGE

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No