

2024:PHHC:140457



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

212

CWP-40290-2018

Date of Decision : 25.10.2024

MUNICIPAL CORPORATION, LUDHIANA PETITIONER

V/S

AJAY KUMAR AND ANOTHER RESPONDENTS

CORAM : HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present :- Mr. Ashok Kumar Bazaz, Advocate
for the petitioner (through VC).

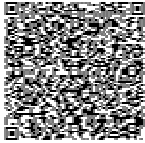
None for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 21.05.2018 (Annexure P-5) whereby Labour Court has answered the reference in favour of workman.

2. Mr. Ashok Kumar Bazaz, Advocate submits that as per his instructions, the workman was reinstated and thereafter in terms of State policy was regularized. As he has got a regular job with the petitioner, he is not coming forward to pursue the matter. He further submits that the workman at the time of re-joining had given in writing that he will not pursue his matter with respect to back wages.

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- 3. The respondent in terms of impugned order as well as order dated 07.01.2019 passed by this Court stands reinstated, thus, impugned order qua reinstatement does not warrant interference. The respondent had not worked during the period of termination and he has been granted regular job though at the time of termination he was a daily wager. Mr. Bazaz has confirmed that workman is not interested to pursue the matter because he has already been regularised.
- 4. Considering the statement of Mr. Bazaz and the fact that the workman has already been reinstated as well as regularized, the impugned order is set aside to the extent of grant of back wages.
- 5. Disposed of in above terms.
- 6. Liberty is granted to the respondents to move an appropriate application, if cause survives.

(JAGMOHAN BANSAL)
JUDGE

25.10.2024
anju

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