

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

112

CWP-16213-2022

Date of Decision : November 11, 2025

GRAM PANCHAYAT VILLAGE ARNETU

-PETITIONER

V/S

**THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, PATIALA
AND OTHERS**

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Nandan Jindal, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, A.A.G., Punjab.

Ms. Muskan Sharma, Advocate
for the respondent No.4.

KULDEEP TIWARI, J. (ORAL)

1. Through the present writ petition, the petitioner- Gram Panchayat assails the *ex parte* award dated 10.10.2017, whereby the respondent No.1- Industrial Tribunal, Patiala, answered the reference in favour of the respondent No.4- workman, directing his reinstatement with continuity of service and 10% back wages.

2. Learned counsel for the petitioner contends that the impugned award is a nullity in the eyes of law, as the petitioner was neither the appointing authority of the workman nor had the workman ever rendered any service under its control. It is submitted that the workman was, in fact, employed under the Executive Engineer, Water Supply and Sanitation Division No.02, Patiala, who was arrayed as

respondent No.2 before the Industrial Tribunal.

3. During the pendency of proceedings before the Industrial Tribunal, the claim against the respondent No.2 was withdrawn, and the petitioner was proceeded against *ex parte*. Subsequent to the passing of the *ex parte* award dated 10.10.2017, the petitioner filed an application before the Industrial Tribunal seeking to set aside the said award. The Industrial Tribunal entertained the application and, vide interim order dated 01.04.2022, framed an issue to determine whether sufficient cause existed for setting aside the *ex parte* award. During the pendency of this application, the workman filed a miscellaneous application apprising the Industrial Tribunal that the award had already been implemented, as his reinstatement had been effected with his joining report accepted on 10.01.2018, and payment of 10% back wages had also been made. Consequently, the petitioner's application for setting aside the *ex parte* award was dismissed vide order dated 19.05.2022.

4. This Court has heard the submissions of learned counsel for the petitioner and perused the record. It is evident that the petitioner has already implemented the impugned *ex parte* award as far back as 2018, and the entire dues were paid to the workman in 2019. Hence, the present challenge to the impugned *ex parte* award is rendered infructuous and amounts to an exercise in futility.

5. It has also emerged during the course of arguments that now with the change of officer bearers of the petitioner- Gram Panchayat, its stand has changed. Such a shift in stance cannot be permitted, as it would otherwise lead to perpetual uncertainty and endless litigation.

6. In view of the fact that the impugned *ex parte* award has already been implemented, the workman continues to serve with the petitioner- Gram Panchayat, and is being paid his wages, this Court finds no reason to examine the legality or validity of the said award. Accordingly, the writ petition stands **dismissed**.

November 11, 2025
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(KULDEEP TIWARI)
JUDGE

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