



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

120

CR-7996-2025

Date of decision :20.11.2025

SUKHDEV SINGH AND OTHERS**... PETITIONERS****VERSUS****SIRSA CITY BUS SERVICE SIRSA****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL**

Present: Mr. R.P.S. Jammu, Advocate and
Mr. S.P. Yadav, Advocate
for the petitioners.

PARMOD GOYAL, J. (ORAL)

1. The Petitioner is aggrieved by the order dated 05.08.2025 (Annexure P-1), whereby the execution petition preferred by the Petitioner was dismissed, and the objections filed by the Judgment Debtors were allowed.

2. It is worth noting that vide award dated 18.03.2016 passed by the Permanent Lok Adalat (Public Utility Services), Sirsa, the dispute between the Decree Holder and the Judgment Debtors was settled on the basis of compromise. It was held that the Decree Holder shall be entitled to the following:

- (i) *The JDs shall take steps to get declared buses bearing registration No. HR-57/3049, HR-57/3050, HR-57/3102 and HR-57/3103 condemned from the competent authority and to get repaired the remaining three buses of the Society so as to enable them to ply on the road after completing their documents i.e. fitness certificates,*



route permits, insurance certificates etc. within a period of two months from today. They will not bring these buses on road till the documents are not completed.

- (ii) Respondents will adjust the Drivers and Conductors of the above mentioned four buses in other Departments as per the policy/guidelines of the Government.*
- (iii) JDs to pay the wages of the employees of the Society on the basis of Collector rate by arranging the funds from their available sources, within a period of two months and to make the payment of the salaries regularly in future.”*

3. Thereafter, an execution petition was preferred by the Decree Holder seeking implementation of the award dated 18.03.2016. However, the said execution petition was dismissed as fully satisfied vide order dated 04.10.2022. Aggrieved by the order dated 04.10.2022, the Decree Holders–Petitioners preferred a revision petition before this Court. The said revision petition bearing No. 168 of 2023 was disposed of by the following order:

"Learned counsel for the petitioners submits that apart from adjustment, even the wages and other benefits for which the petitioners were entitled for under the Award, have not been paid, qua which no finding has been recorded by the Court below while executing the execution proceedings hence, the petitioners be allowed to withdraw this petition, at this stage, with liberty to approach the executing court with appropriate application bringing the said fact to the notice for proper adjudication qua the grant of wages and other benefits, in accordance with the Award.

Dismissed as withdrawn, with liberty as prayed for."

4. Thereafter, the Decree Holder again approached the Executing Court seeking implementation of the award dated 18.03.2026, which was declined by the Executing Court vide the impugned order dated 05.08.2025. The Executing



Court observed that all the conditions of the award dated 18.03.2026 had been complied with. It was noted that, subsequent to the passing of the award, the Deputy Commissioner, Sirsa, in the Executive Body of Sirsa City Bus Service, had decided to terminate the bus service of the society with immediate effect, and the services of all staff members were accordingly dispensed with.

5. Since the authorities had taken steps to shut down the bus services after the award, there was no violation of the award. The right to close down a business remains vested with the employer, and there was no material to suggest that the decision was taken with mala fide intent. Admittedly, Central Scheme under wages were being paid stood closed. Huge losses i.e. to the extent of more than 20 lacs were suffered by JD Society. Therefore, the Learned Executing Court rightly held that the respondents could not be compelled to continue the bus service after the decision to close the business in its entirety.

6. Similarly, the ground raised by the Decree Holder that they were entitled to absorption in other departments must be considered in light of the award dated 18.03.2026, wherein such absorption was subject to Government guidelines and instructions. In compliance with the award, the Judgment Debtor made efforts by writing to various departments for absorption of the Decree Holders. However, no department accommodated the Decree Holders as the Government guidelines did not permit their absorption.

7. The Judgment Debtor also placed on record the notification dated 28.09.2021, whereby the State Government decided to stop all recruitments under the outsourcing policy with immediate effect. Therefore, when the Government has taken a decision not to absorb employees from any other department or recruit new employees, the Judgment Debtor cannot be compelled to facilitate the absorption of the Decree Holders in other Government departments.



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8. In view of the above facts, the conclusion drawn by the Executing Court that the award dated 18.03.2026 stands satisfied cannot be faulted. There is no material to suggest that the salaries were not paid up to the date of termination of the Decree Holders by the Society. Since the salaries have been duly paid, the present execution petition does not survive. The present revision petition is therefore without merit and is dismissed.

20.11.2025
manoj

(PARMOD GOYAL)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No