

**CWP-2480-2005**

-1-

224

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CWP-2480-2005**Date of Decision : **07.04.2026****STATE OF HARYANA AND OTHERS**

.....Petitioners

VERSUS**DUKH HARAN PARSHAD AND ANOTHER**

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARIPresent : Mr. Kapil Bansal, DAG, Haryana
for the petitioner-management.Mr. Nikhil Lather, Advocate,
for respondent no.1-workman.**KULDEEP TIWARI, J. (Oral)**

1. Through the instant petition, as cast under Article 226/227 of the Constitution of India, the petitioner-management has questioned the legality of Award dated 07.10.2004 (Annexure P-1), passed by the learned Industrial Tribunal concerned (respondent no.2), wherethrough, the reference was answered in favour of the respondent no.1-workman, and he was granted the relief of reinstatement, with 50% of back-wages.
2. In the instant matter, notice of motion was issued vide order dated 15.02.2005, only with regard to the back-wages. The said order is extracted hereinafter:-

“Contentds that respondent No.1 had neither
pleaded not proved that he was not been gainfully employed
after his termination and accordingly, the Labour Court was not

**CWP-2480-2005**

-2-

justified in awarding back wages.

Notice of motion qua back wages only for July 12, 2005.

Till then, payment of back wages shall remain stayed.”

3. Learned State counsel representing the petitioner-management submits that though the notice was issued only with regard to the back-wages, therefore, in the meanwhile, the respondent-workman, was reinstated into service, and further, at relevant time, his services were also regularised. However, the said order of regularisation was, subsequently, withdrawn.

4. He further submits that the grievance of the petitioner with regard to withdrawal of regularisation order has also been put to challenge before this Court, by the workman, which is pending consideration in the accompanying petition, i.e. CWP-10378-2010.

5. Learned counsel for respondent no.1-workman, fairly submits that since respondent no.1-workman has been reinstated, therefore, he does wish to press for the relief of back-wages. However, he would contest the writ petition filed by the workman i.e. CWP-10378-2010.

6. In view of the above, nothing survives in the instant petition, for adjudication. Accordingly, in view of the above statement suffered by learned counsel for respondent no.1-workman, the impugned Award is modified only to the extent that respondent no.1-workman, is entitled for reinstatement into service, however, without back-wages.

7. With the aforesaid modification, the instant petition, is **partially allowed**.

8 All pending application(s), if any, also stand **disposed** of accordingly.

April 07, 2026

dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. :

Whether Reportable. :

Yes/No

Yes/No