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

**CM-12799-CWP-2025 &
CM-12800-CWP-2025 in/&
CWP-5572-2001
Date of Decision:02.09.2025**

STATE OF PUNJAB

.....Petitioner

VERSUS

KESAR SINGH

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sahil R. Bakshi, AAG, Punjab assisted by
Executive Engineer, RSD, Civil Maintenance Division,
Shahpur Kandi.

Mr. Randhir Singh Manhas, Advocate,
for applicants/respondent no.2.

KULDEEP TIWARI, J.(Oral)

CM-12799-CWP-2025

1. Application is **allowed** as prayed for subject to all just exceptions, and a copy of order dated 10.02.2003 and the death certificate are taken on record as Annexures A-1 and A-2.

CM-12800-CWP-2025

2. Through the instant application, prayer is made for impleadment of the applicant in the array of respondents, as respondent no.1 has died on 18.06.2016, in accompanying petition.



3. For the good and valid reasons, assigned in the application, same is **allowed** as prayed for, and the applicant-Puran Chand, is ordered to be impleaded as respondent in place of deceased-respondent no.1, for the purpose of this petition only.

4. Amended memo of parties is ordered to be taken on record.

5. The Registry is directed to tag the same at an appropriate place in the case file.

CWP-5572-2001

6. The State of Punjab through the instant writ petition filed under Article 226/227 of the Constitution of India, throws a challenge to the Award dated 08.12.1999 (Annexure P-1), wherethrough, seven references under Section 10(1)(c) of the Industrial Disputes Act, 1947 (for short as the 'ID Act'), were answered in favour of the workmen, by learned Labour Court.

7. Learned Labour Court concerned, finding the termination from the services of the workmen illegal, on account of infraction of Section 25-F and 25-G of the ID Act, ordered reinstatement of all the workmen, including respondent no.2, with two years continuity of service alongwith 25% back-wages from the dates of reference.

8. Learned counsel for respondent no.2-workman informs this Court that the petitioner-State challenged Award (*supra*) by filing seven writ petitions, including the present one, out of which six petitions have



been dismissed by a co-ordinate bench vide order dated 10.02.2003 (Annexure A-1) passed in CWP-18974-2002, and the Award (*supra*) was upheld. The relevant part of the order (*supra*) is extracted hereinafter:-

“Petitioners have filed this Civil Writ Petition in the nature of Certiorari for quashing award dated 8.12.1999, (Annexure P-1), passed by the Presiding Officer, Labour Court, Gurdaspur.

Petitioners have averred that respondent No.1 worked as daily wage Mazdoor from 12/81 to 12/85 for 134 days. He worked for maintenance of roads and clearing of land slides. It has been further averred that services of respondent No. 1 were terminated legally by the petitioners. The workman/respondent No.1 left the job of his own accord. He did not complete 240 days in 12 calendar months. Demand notice was served after 15 years. Award dated 8.12.1999 was passed in favour of respondent No.1, which is under challenge.

Notice of motion was issued.

I have heard counsel for the parties and perused the petition and the award.

Counsel for respondent No.1 has drawn my attention to a Division Bench judgment of this Court in Civil Writ Petition No.18134 of 2002, Chief Engineer and another Versus Jarnail Singh and another, decided on 15.11.2002 which covers the petitions in hand.

I have gone through the judgment in Chief Engineer's case (*supra*). The said petition was dismissed. These petitions are also dismissed as per terms as in Chief Engineer's case (*supra*).”

9. Learned counsel for the petitioner-State on the other hand does not dispute the above factual position, and submits that the aforesaid order, squarely covers the instant case.

10. In view of the fair submissions, as made by the learned counsel for the petitioner-State, this Court finds no reason to take a



different view in the present matter. Accordingly, the instant petition is hereby **dismissed** on the same terms and for the same reasons as recorded in the order dated 10.02.2023, passed in CWP No. 18974 of 2022.

September 02, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

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