

spondent, we are satisfied that the same do not entail him being placed under the cover of Section 2(s), ID Act.

29. For reasons aforesaid, this appeal succeeds and is, accordingly, allowed. The impugned judgment as well as the judgment rendered by the learned Single Judge are set aside. The judgment of the Labour Court is revived and restored. *Ex consequenti*, it is held and declared that the respondent is not a “workman” and thus, reference to the Labour Court under the ID Act against the appellant would not be maintainable. We commend the respondent for his spirited resistance to the appeal.

30. Parties to bear their own costs.

SS

(2024-1)213 PLR 673

PUNJAB AND HARYANA HIGH COURT

Before : Mrs. Justice Manjari Nehru Kaul

MANJIT SINGH - Petitioner,

Versus

STATE OF PUNJAB - Respondent.

CRM-M-4790-2024 (O&M)

Trust, the Courtroom can still be a wild enough place without summoning spirits from beyond the grave.

Petition filed on behalf of a dead person - Petitioner filed a petition on behalf of his departed client, complete with a posthumous Power of Attorney, bearing a signature from beyond the grave - Petition filed almost a month after his celestial departure - Court would like to warn the learned counsel to exercise a tad more caution in his future legal escapades - After all, we would not want to inadvertently summon anymore ghostly clients or find ourselves entangled in a legal mess of supernatural proportions.

Mr. Vikramjit Singh, for the petitioner. Mr. Amit Rana, Sr. DAG, Punjab.

Manjari Nehru Kaul, J. (ORAL) - (02.05.2024) - In compliance of order dated 01.05.2024, learned counsel for the petitioner has appeared before this Court and has not disputed the contents of the death certificate which was placed on record by the learned State counsel. He, however, submits that he had been misled by 'some person' who had approached him for filing the instant petition. He has tendered an unqualified and unconditional apology in the said regard.

2. Learned counsel for the petitioner has managed to stir up quite the legal potpourri by filing the instant petition on behalf of the petitioner, almost a month after his celestial departure. A feat that would make even Houdini raise an eyebrow!

3. Yes, this episode unfolded on the previous date of hearing in this Court, when the learned State counsel placed on record the death certificate of the petitioner.....seemingly learned counsel for the petitioner filed a petition on behalf of his departed client, complete with a posthumous Power of Attorney, bearing a signature from beyond the grave.

4. It's as if the petitioner was orchestrating the ultimate legal prank from beyond the grave. And if that weren't enough to raise a Courtroom chuckle, behold! An affidavit bearing the signature of none other than the departed petitioner.

5. Undoubtedly, all this injected some much-needed entertainment into the otherwise dull Courtroom proceedings, this Court would like to warn the learned counsel for the petitioner to exercise a tad more caution in his future legal escapades. After all, we would not want to inadvertently summon anymore ghostly clients or find ourselves entangled in a legal mess of supernatural proportions.

6. However, it is imperative for this Court to issue an explicit warning. Therefore, let it be clear: learned counsel for the petitioner should take this warning seriously and avoid getting involved in such "otherworldly activities" in the future lest he becomes entangled in a complex situation beyond the ordinary. Besides, considering the learned counsel for the petitioner's relative inexperience in the legal profession, this Court would not want to see him squander his promising career on such.... shall we say, otherworldly endeavours. Trust, the Courtroom can still be a wild enough place without summoning spirits from beyond the grave.

7. In view of the unconditional and unqualified apology tendered by the learned counsel for the petitioner, and prayer made, the instant petition is permitted to be withdrawn.

8. Dismissed as withdrawn.

SS

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