

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.8707 of 1993 (O&M)

Date of Decision: 02.12.2015

Haryana Co-operative Sugar Mills Ltd.,
Rohtak

... Petitioner

Versus

The Presiding Officer, Industrial Tribunal-
cum-Labour Court, Rohtak and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. P.K. Mutneja, Advocate,
for the petitioner.

Mr. B.R. Gupta, Advocate,
for respondent No.2.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.

1. This petition has been filed against an order passed by the Labour Court, Rohtak in an application under section 33-C (2) of the Industrial Disputes Act, 1947. The Labour Court has computed a sum of Rs.2000/- and odd as money due under various heads which was claimed to be unpaid.

2. The petition was filed for a declaration as to the rights of the petitioner.

3. Having considered the arguments of Mr. P.K. Mutneja, learned counsel and Mr. B.R. Gupta, learned counsel appearing for the respective parties, this Court is of the considered view that the amount is trifling and the order was passed 23 years ago and, therefore, no interference is called

for in the exercise of extraordinary writ jurisdiction under Article 226 of the Constitution of India to form an opinion on the orders of the Labour Court dated December 09, 1992 and it could suffice to say that this order will not be treated as a precedent on the issue raised in this petition which is kept open for the management to contest in other cases. The order had been stayed by the Division Bench of this Court on July 22, 1993. The amount quantified is Rs.2336.72/-.

4. Mr. Mutneja submits that interest component may be ordered to be deleted since this Court has not expressed any opinion on the merits of the case.

5. Mr. B.R. Gupta, learned counsel has brought to the notice of the Court that the workman has passed away. His LRs are on record.

5. In order to secure the ends of justice, an amount of Rs.2336.72/- is modified to read as Rs.5000/- payable to the LRs.

6. The petition stands disposed of. The stay order stands vacated.

(RAJIV NARAIN RAINA)
JUDGE

02.12.2015
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