

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

**CWP No. 7644 of 2012 (O&M)  
Date of Decision: May 8, 2015**

**Ram Singh**

**..... Petitioner**

**Versus**

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

**..... Respondents**

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

Present:- Ms. Abha Rathore, Advocate  
for the petitioner.

Mr. Nitin Grover, Advocate  
for respondent No. 2 .

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1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

**Amit Rawal, J (Oral)**

The petitioner has approached this Court seeking modification of the award dated 11.11.2009 (Annexure P-6) on the premise that in the demand notice the petitioner had specifically mentioned that at the time of termination the petitioner workman was drawing a salary of ₹4440/- and this fact has not been denied by the Management in the written statement filed before the Labour Court despite that the Labour Court while granting the relief of reinstatement to the workman with back wages noticed that the workman was drawing a salary of ₹2100/- per month. In order to seek clarification of the aforementioned findings

an application for seeking clarification of the aforementioned typographical mistake was moved but the same was partly allowed by correcting the address in Memo of Parties. However amount qua wages being drawn by the workman was not corrected and in this petition the petitioner has approached this Court for appropriate directions.

I have gone through the demand notice and the written statement filed by the Management and it leaves no manner of doubt that the workman was drawing a salary of ₹4440/- at the time when his services were terminated. For the reasons best known the Labour Court in the first paragraph mentioned the salary as ₹2100/-, which according to the learned counsel for the petitioner is against the record, much less it amounts to illegality and perversity.

I am in agreement with the contention made by learned counsel for the workman-petitioner in view of the fact that the factum of salary as mentioned in the demand notice has not been denied. Accordingly the award of the Labour Court is modified and instead of words ₹2100/- per month it should be read as ₹4400/- per month and rest of the observations and the findings given by the Labour Court are upheld.

The writ petition stands disposed of.

**(AMIT RAWAL)**  
**JUDGE**

**May 8, 2015**  
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