

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

C.W.P.No.880 of 2013

Date of Decision: March 13, 2015

Chaman Lal

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

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?

Present: Mr.Parminder Singh-I, Advocate,
for the petitioner.

Mr.L.S.Virk, Addl.A.G.Punjab,
for the State.

AMIT RAWAL, J. (Oral)

The prayer in the present writ petition is for quashing the award dated 26.3.2012 (Annexure P-1) passed by the Labour Court, whereby the petitioner-workman had challenged two orders, i.e., order dated 8.4.1997, whereby the Management had withheld three increments with cumulative effect and the order dated 12.5.1997, whereby the petitioner had been brought lower in grade for 10 years, by virtue of which his salary has been reduced.

Mr.Parminder Singh, learned counsel appearing on behalf of the petitioner contends that a perusal of the award reveals that there is no discussion to the contention raised, much less, to the order dated 12.5.1997 effecting the petitioner. In support of his contention, relies upon the

judgment of this Court in **State of Punjab Versus Mohan Singh, 2007(3) SCT 751** to contend that the vague order without any reasoning would not stand the scrutiny of law and, therefore, has been held to be illegal.

I have gone through the award of the Labour Court and am of the view that there is no discussion to the order dated 12.5.1997 with regard to the increments earned during the pendency of the time scale and future increments.

The aforementioned fact is not disputed by the learned State Counsel.

In view of the fact that the Labour Court has failed to give any reasoning, much less, address the issue raised by the petitioner, this Court deem it appropriate to remit the case back to the Labour Court to decide the matter afresh keeping in view the contentions of the parties to the lis, by affording opportunity to the parties, particularly in regard to the order dated 12.5.1997. The award of the Labour Court is hereby set-aside.

It is expected that the Labour Court would decide the matter within a period of six months from the date of receipt of certified copy of this order.

With the aforementioned observations, the writ petition is disposed of.

March 13, 2015
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(AMIT RAWAL)
JUDGE