

In the High Court of Punjab and Haryana at Chandigarh.

**CWP-16586 of 2016
Decided on 17.8.2016**

Sudarshan Facilities Private Ltd.

--Petitioner

Vs.

P.G.I, Sector 12, Chandigarh through its Director

--Respondent

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Vikas Chaudhary, Advocate, for the petitioner

Rakesh Kumar Jain,J: (Oral)

This petition is filed by Service Providers for issuance of a mandamus, directing the respondent to comply with the various statutory provisions of labour legislations regarding payment of minimum wages.

In short, the petitioner entered into an agreement with the respondent for providing manpower for housekeeping. There are 819 persons deployed by the Service Provider/petitioner for housekeeping in PGI, who have to work six days in a week. In order to grant them rest, 113 Relievers have also been deployed.

There is no dispute as regards 819 Service Providers/ Housekeepers are concerned. The only issue raised by the petitioner is about the minimum wages, as well as enhancement therein, which is not paid being by the respondent to 113 Relievers.

Learned counsel for the petitioner has fairly submitted that Clause 45 of the agreement provides for dispute resolution which can be resolved through joint discussion of the authorized representatives of the concerned parties and in case, the said discussion fails, then the matter has to be referred to the Director, PGI, Chandigarh, who would further refer the same to the Sole Arbitrator to be appointed by him.

Grievance of the petitioner is that despite many requests for release of the outstanding wages of House Keeping Workers, nothing has been done so far. During the course of hearing, learned counsel for the petitioner has referred to Annexure P-7 to show that the respondent is not holding any joint discussion with the representatives of the petitioner.

After hearing learned counsel for the petitioner and going through the record, I am of the considered opinion that at this stage, no interference is called for in this petition but the respondent is directed to hold joint discussion with the representatives of the petitioner within 15 days in terms of clause 45 of the agreement in order to resolve the so called dispute raised by the petitioner. In case, the dispute is not resolved, then the further proceedings may be carried out in accordance with law.

In view of the above, the present petition is disposed of.

17.8.2016
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(Rakesh Kumar Jain)
Judge

Whether Speaking/Reasoned: **Yes/No.**

Whether Reportable: **Yes/No**