

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

LPA No.1149 of 2016 (O&M)

Date of Decision : 11.07.2016

Punjab State Power Corporation Limited

....Appellant

Versus

Jaswant Singh and another

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE DR.SHEKHER DHAWAN

....

1. Whether Reporters of Local Newspapers 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.G.S.Ghuman, Advocate
for the appellant.

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MAHESH GROVER, J.

This appeal is directed against the judgment of the learned Single Judge dated 18.12.2015 upholding the award of the Labour Court enabling the respondent-workman to wages determined under Section 33 C(2) of the Industrial Disputes Act, 1947.

The learned Single Judge noticed that the wages were withheld on account of the workman not rendering the accounts leading to a presumptive loss to the Corporation, which fact was never established in a proper inquiry.

We are of the opinion that no fault can be found with the reasoning of the learned Single Judge upholding the award of the Labour Court in the absence of any fact finding inquiry conducted by the appellant to establish misconduct of the workman who evidently could not be burdened with an order prejudicial to him on an inference.

Apart from this, the appeal is also barred by an inordinate delay of 169 days which we do not intend to condone in the absence of any plausible explanation.

Dismissed.

(MAHESH GROVER)
JUDGE

11.07.2016
dss

(SHEKHER DHAWAN)
JUDGE