

Sr. No.226

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

LPA-1690-2015(O&M)

Date of Decision: December 15, 2016

Gurdeep Singh

.....Appellant

VS.

Sachin Kumar and others

....Respondents

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

**Present:-** Mr.P.L.Chauhan Advocate for the appellant.  
Mr.P.S.Saini Advocate for the respondents no.1 and 2.

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**MAHESH GROVER, J**

This appeal is directed against the judgment of the learned  
Single Judge dated 02.11.2015.

The dispute centres around non payment of salary to the  
appellant for the period 01.09.2013 to 24.02.2014. The learned Single Judge  
opined that this is a dispute centring around disputed questions of fact which  
would restrict the exercise of jurisdiction under Article 226 of the  
Constitution of India.

After hearing the learned counsel for the parties, we are of the  
opinion that no infirmity has been shown to have been committed in the  
impugned order particularly when we viewed it against the cross  
examination of the appellant during the proceedings before the Labour Court  
where he clearly admitted that the Nigam had rightly not paid the salary  
from 01.09.2013 to 24.02.2014. We may, for the purposes of references,

*“ The applicant/workman in his cross examination has also admitted that when Sh. Sachin JE had relieved him then he had submitted his arrival report in the office of SDO, Uklana and also admitted the arrival report Ex.DB and Ex.DC as correct. He has further admitted that it is correct that the Nigam had rightly not paid the salary from 01.09.2013 to 24.02.2014.”*

No ground for interference has been made out when clearly disputed questions of fact have been raised.

Dismissed.

**(MAHESH GROVER)**  
**JUDGE**

**(SHEKHER DHAWAN)**  
**JUDGE**

**December 15, 2016**  
mamta

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No