

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

LPA No. 216 of 2016 (O&M)

DATE OF DECISION : 08.02.2016

Total Tele-film Private Limited

.... APPELLANT

Versus

Presiding Officer, Industrial Tribunal & Labour Court, Union Territory,
Chandigarh and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Rishi Pal Rana, Advocate,
for the appellant.

* * *

SATISH KUMAR MITTAL, J. (Oral)

The Management has filed this intra-court appeal under Clause X of the Letters Patent against the order dated 21.01.2016 passed by the learned Single Judge, dismissing the writ petition (CWP No. 1264 of 2016) filed by the appellant challenging the award dated 01.09.2014 (Annexure P-4) rendered by the Presiding Officer, Industrial Tribunal & Labour Court, Union Territory, Chandigarh, allowing the application moved by the workman (respondent No.2 herein) under Section 33 (C) (2) of the Industrial Disputes Act, 1947 (hereinafter referred to as 'the Act'), claiming wages with effect from October, 2007 to February, 2008 at the rate of ₹ 25,000/- per month along with interest.

We have heard learned counsel for the appellant and have gone through the award of the Labour Court as well as the impugned order passed by the learned Single Judge.

In this case, the Labour Court as well as the learned Single Judge have recorded a finding of fact to the effect that the respondent – workman was not paid his salary with effect from October, 2007 to February, 2008 at the rate of ₹ 25,000/- per month. After arriving at the said conclusion, the application moved by the respondent - workman under Section 33 (C) (2) of the Act, claiming wages with effect from October, 2007 to February, 2008 at the rate of ₹ 25,000/- per month along with interest, was allowed by the Labour Court vide award dated 01.09.2014. The said award of the Labour Court has been upheld by the learned Single Judge.

Learned counsel for the appellant tried to convince this court that the Labour Court wrongly recorded the aforesaid findings of fact.

After hearing learned counsel for the appellant, we are of the opinion that the Labour Court, after properly appreciating the evidence available on record, has correctly recorded a finding of fact with regard to non-payment of wages to the respondent – workman. The said finding of fact does not require any interference in this Letters Patent Appeal.

Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

February 08, 2016
ndj

(HARINDER SINGH SIDHU)
JUDGE