

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

Sr. No.121

C.R. No.3578 of 2018
Date of decision: 25.05.2018

Executive Engineer and another

....Petitioners

versus

Sunil Kumar

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Samarth Sagar, Addl. A.G., Haryana.

* * *

DEEPAK SIBAL, J. (Oral)

The State of Haryana has filed the present petition to challenge therein order dated 07.09.2016 passed by the Additional District Judge, Gurgaon (for short – 'the Appellate Court'), through which the appeal filed by the respondent against order dated 29.01.2016 passed by the Authority under the Payment of Wages Act, 1936 (for short – 'the Act') was accepted with a direction to the petitioners to pay to the respondent Rs.15,803/- alongwith interest @ 8% per annum from the date of application till actual realization.

The respondent had moved an application before the Authority under the Act for grant of wages for the period that he had worked with the petitioners. On being put to notice the petitioners had appeared before the Authority and denied that the respondent had ever worked for the petitioners, on the basis of which the Authority under the Act dismissed the respondent's application. Such dismissal of his application was challenged by the respondent by filing an appeal before the Appellate Court.

The Appellate Court after relying on the statements of RW-1 Subhash Chander, JE and RW-2 Jag Ram, Accountant, who were the witnesses produced by the petitioners came to a categorical conclusion that the respondent had in fact worked with the petitioners from July 2014 to January 2015 and accordingly, granted the respondent minimum wages amounting to Rs.15,803/- alongwith interest.

Although the petitioners had altogether denied that the respondent had worked with them, their own witnesses had admitted that the respondent had worked with the petitioners for the period for which he has been awarded minimum wages. Relying on their statements the Appellate Court rightly allowed the respondent's claim.

In view of the above, there is no occasion for this Court to interfere with the impugned order.

The present petition, is accordingly, dismissed.

(DEEPAK SIBAL)
JUDGE

May 25, 2018
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No