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

**1. CR No.7619 of 2018 (O&M)
Date of Decision: 21.11.2018**

The Divisional Manager, Chandigarh Transport Undertaking-cum-Director, Transport, U.T., Chandigarh.

Petitioner

Versus

Presiding Officer, Industrial Tribunal and Labour Court, U.T., Chandigarh and another

Respondents

2. CR No.7621 of 2018 (O&M)

The Divisional Manager, Chandigarh Transport Undertaking-cum-Director, Transport, U.T., Chandigarh.

Petitioner

Versus

Presiding Officer, Industrial Tribunal and Labour Court, U.T., Chandigarh and another

Respondents

3. CR No.7624 of 2018 (O&M)

The Divisional Manager, Chandigarh Transport Undertaking-cum-Director, Transport, U.T., Chandigarh.

Petitioner

Versus

Presiding Officer, Industrial Tribunal and Labour Court, U.T., Chandigarh and another

Respondents

4. CR No.7625 of 2018 (O&M)

The Divisional Manager, Chandigarh Transport Undertaking-cum-Director, Transport, U.T., Chandigarh.

Petitioner

Versus

Presiding Officer, Industrial Tribunal and Labour Court, U.T., Chandigarh and another

Respondents

5. CR No.7626 of 2018 (O&M)

The Divisional Manager, Chandigarh Transport Undertaking-cum-Director, Transport, U.T., Chandigarh.

Petitioner

Versus

Presiding Officer, Industrial Tribunal and Labour Court, U.T., Chandigarh and another

Respondents

6. CR No.7627 of 2018 (O&M)

The Divisional Manager, Chandigarh Transport Undertaking-cum-Director, Transport, U.T., Chandigarh.

Petitioner

Versus

Presiding Officer, Industrial Tribunal and Labour Court, U.T., Chandigarh and another

Respondents

7. CR No.7753 of 2018 (O&M)

The Divisional Manager, Chandigarh Transport Undertaking-cum-Director, Transport, U.T., Chandigarh.

Petitioner

Versus

Presiding Officer, Industrial Tribunal and Labour Court, U.T., Chandigarh and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Suvir Sehgal, Advocate and
Mr. Sanjiv Ghai, Advocate
for the petitioner.

Mr. Amit Kaith, Advocate
for respondent No.2.

AVNEESH JHINGAN, J (Oral):

These are seven civil revision petitions filed under Article 227 of the Constitution of India seeking quashing of impugned order dated 07.11.2017 passed by the Presiding Officer, Industrial Tribunal and Labour Court, U.T., Chandigarh [hereinafter referred to as 'the Labour Court'] striking off the defence of the petitioner. Further, a prayer is made to set aside the order dated 14.05.2018 dismissing the application moved for re-calling of the impugned order.

The brief facts of the case are that the workmen filed applications under Section 33-C of the Industrial Disputes Act, 1947, claiming difference in wages. The notices of the said applications were issued to the petitioner. In pursuance to the notice, the petitioner put in appearance on 29.08.2016 and the case was adjourned for filing the written statements. In spite of various opportunities provided by the Labour Court, the petitioner failed to file the written statements. The Labour Court, vide its order dated, 07.11.2017, struck off the defence of the petitioner. Applications dated 18.12.2017 for re-calling the said order were filed. The said applications were dismissed vide order dated 14.05.2018. Aggrieved

of the order, present revision petitions have been filed.

Learned counsel for the petitioner contended that due to involvement of huge record and time required in tracing various documents, the written statements could not be filed. The prayer is that one opportunity may be provided as written statements is ready and would be filed immediately.

Learned counsel for the respondents vehemently opposed the contentions raised by learned counsel for the petitioner. He argued that entire endeavour of the petitioner is to delay the proceedings.

After considering the facts of the case in totality, in the interest of justice, it would be appropriate that one opportunity be granted to the petitioner to file written statements in all the seven cases on or before next date fixed before the learned Labour Court. However, the written statements would be accepted subject to petitioner paying cost of Rs.3,000/- to each of the workman. The orders dated 07.11.2017 and 14.05.2018 are thus, set aside.

The civil revision petitions are disposed of, accordingly.

[AVNEESH JHINGAN]
JUDGE

November 21, 2018

pankaj baweja

1. Whether speaking/ reasoned	:	Yes/ No
2. Whether reportable	:	Yes/ No