

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

CWP-12952-1996

Date of Decision:03.04.2018

M/s Poonian Co-operative Agricultural Services Society Ltd.

... Petitioner

Vs.

Presiding Officer and another

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. B.S. Sehra, Advocate
for the petitioner.

Mr. M.S. Bedi, Advocate
for respondent No.2.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioner has challenged the order passed by respondent No.1 dated 31.1.1996/2.2.1996.

2. Respondent No.2's claim to extend the revision of pay was the subject matter. The then management of the petitioner have admitted that respondent No.2 is entitled to revision of pay. Thus, respondent No.2's application under Section 33-C(2) of the Industrial Disputes Act, 1947 (for short "the Act") was decided in his favour.

3. Learned counsel for the petitioner submitted that order dated 31.1.1996/2.2.1996 (Annexure P-5) is in collusion with the then management which is evident from para-4 of the writ petition wherein they have extracted the statement made by the counsels on 27.10.1989. Therefore, order dated 31.1.1996/2.2.1996 (Annexure P-5) is liable to be set aside.

4. If there is any collusion between the then management and respondent No.2, in that event, the new incumbent management could have

taken action timely against the then management like against Secretary or President in accordance with law. Therefore, there is no infirmity in the order dated 31.1.1996/2.2.1996 (Annexure P-5). Petitioner has not made out a case so as to interfere with the order dated 31.1.1996/2.2.1996 (Annexure P-5).

5. Accordingly, petition stands dismissed.

03.04.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**