

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

CWP No. 11500 of 2018

Date of decision : 08.05.2018

Jaswinder Kaur @ Rani & anr.

...Petitioners

V/s

The Presiding Officer, Industrial Tribunal, Bathinda & ors.

...Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Jagtar Singh Sidhu, Advocate for the petitioner.

RAJAN GUPTA J.

Petitioners have impugned award dated 09.05.2017 and order dated 05.11.2015 passed by Presiding Officer, Industrial Tribunal, Bathinda whereby they have been proceeded ex-parte and have been directed to pay ₹68,000/- as remainder payment alongwith interest to the respondent-workman. Petitioners have posed challenge to the order stating that domestic employment does not come within the purview of section 33-C(2). It has further borne out on record that respondents absented from the proceedings on 05.11.2015 and was thereafter proceeded ex-parte. They chose not to challenge the said order. Thereafter, the Tribunal proceeded further with the case. Respondent-workman stated that he was engaged by the petitioners for carrying out certain work of aluminum. He completed the same to the satisfaction on 13.02.2013. The total claim came to ₹1,88,000/- out of which only ₹1,20,000/- was paid to him. Rest of the amount was withheld. Industrial Tribunal accepted the plea holding that being a beneficial legislation it has to be interpreted favourably and rest of the

amount due to the workman needs to be paid to him. I find no ground to interfere in the findings. Petition is, thus, hereby dismissed.

May 08, 2018
Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No