

CWP No.27310 of 2017 -1-

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

**CWP No.27310 of 2017 (O&M)
Date of decision: 23.5.2018**

Narkesar Rai and others

...Petitioners

Versus

State Bank of India and another

...Respondents

Coram: Hon'ble Mr.Justice Rakesh Kumar Jain

Present: Mr.Amarjit Markan, Advocate for the petitioners.

Ms.Madhu Dayal, Advocate for the respondents.

Rakesh Kumar Jain, J.(Oral)

At the time of preliminary hearing, the following order was passed by this Court on 15.1.2018.

“Learned counsel for the petitioners, *inter alia*, contends that petitioners No.1 to 12 are the employees of the State Bank of Patiala now merged in the State Bank of India and petitioner No.13 is the Union called All India State Bank of India Employees Federation (SBP) Regd. The said Union has been registered on 18.4.2017. The bank has been providing check-off facility in terms of Section 7(2)(kkk) of the Payment of Wages Act, 1936 [for short ‘the Act’] which has now been stopped vide order dated 12.4.2017. The representation made by the petitioners was not decided, therefore, they approached this Court by way of CWP No.8241 of 2017 which was disposed of on 5.7.2017 with a direction to decide the representation within the prescribed time. Thereafter, the impugned order dated 8.8.2017 has been passed.”

Learned counsel for the petitioners has submitted that the impugned order has been passed without any production of

documentary evidence etc. and in regard to the office bearers, petitioner No.13 was never called upon for this purpose otherwise, it is submitted that the petitioners are in possession of the documents to satisfy the respondents for the purpose of grant of facility of check-off.

Notice of motion for 9.2.2018.

Dasti.”

The respondents have filed the reply today in Court and a copy thereof has been handed over to the counsel for the petitioners. The only prayer made by the petitioners is that the respondents may be directed to give liberty to the petitioners to produce the necessary documents and further direction be issued to the respondents to consider those documents and pass an appropriate order.

Counsel for the respondents has not raised any objection.

Be that as it may, the prayer made by the petitioners is totally innocuous, therefore, the present petition is hereby disposed of with a direction to the petitioner to produce the documentary evidence in regard to the office bearers and the respondents after hearing the petitioners and examining the said documents, would pass an order in accordance with law. The entire exercise shall be completed within a period of two months from the date of receipt of copy of the order.

May 23 2018
Meenu

(Rakesh Kumar Jain)
Judge

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