

Sr.No.104

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

CWP No.7374 -2020 (O&M)

Date of Decision: 28.05.2020

The Tribune Trust Employees Union, Chandigarh

...Petitioner

Versus

Union Territory, Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr.Sanjeev Gupta, Advocate
for the petitioner.

Mr. Pankaj Jain, Advocate,
for respondent-UT Chandigarh.

Mr. Satya Pal Jain, Additional Solicitor General of India,
With Mr. Dheeraj Jain,
for respondent No.4.

(presence marked through video conference).

ARUN MONGA, J. (ORAL)

CM NO. 4721 OF 2020

Allowed, as prayed for.

MAIN CASE

The petitioner-employees union seeks issuance of a writ in the nature of certiorari to set-aside the impugned notices/orders dated 25.04.2020 (Annexure P-13) and 01.05.2020 (Annexure P-21), vide which respondent No.5 (The Tribune Trust) has taken a decision to permanently reduce the wages/salaries of its employees, due to Covid-19.

2. Learned counsel for the petitioner-union argues that representatives of petitioner-union have been running from pillar to post in futility. None of the multiple representations/e-mails/complaints (P/4 to P/12) filed before the Tribune Trust as well as Labour Department, Chandigarh (respondent no.2) have yielded to any mitigation process as per law. Notwithstanding, that the action of reduction of salary is in glaring violation of provisions of Industrial Disputes Act and; Working Journalist and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955. He submits that representations P/14 and P/15 were also filed before Finance Secretary, Chandigarh (respondent no.1) as well as Union of India (respondent no.4) but to no avail. Hence the instant writ petition.

3. Notice of motion.

4. On advance service of copy of the petition, Mr. Dheeraj Jain, Advocate and Mr. Pankaj Jain, Advocate, accept notice on behalf of the respondents.

5. Given the nature of order being passed, there is no necessity to seek return by any of the respondents, as no further proceedings and/or pleadings are required before this Court.

6. Without commenting on the merits of the case, the writ petition is disposed of with a direction to respondent No.2/Deputy Commissioner, U.T., Chandigarh, who is also the Labour Commissioner, Department of Labour, Chandigarh, to objectively consider the complaints/emails of the petitioner and also by keeping in view the averments contained in the present writ petition by treating it as a representation, and pass an appropriate order in accordance with law, as it may deem fit. Meanwhile,

office of respondent no.4 is also directed to treat the present petition as a representation and send its comments/opinion to the respondent no.2 in order to enable him to arrive at a judicious decision.

7. Let the needful be done as expeditiously as possible. Disposed of in above terms.

(ARUN MONGA)
JUDGE

28.05.2020

Shalini

Whether speaking/reasoned	Yes/No
---------------------------	--------

Whether reportable	Yes/No
--------------------	--------