

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-3278-2022

DATE OF DECISION: 03.03.2022

BRIJ MOHAN

... Petitioner(s)

Versus

**PRESIDING OFFICER CUM INDUSTRIAL TRIBUNAL LABOUR
COURT, UT AT CHANDIGARH AND OTHERS**

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Amit Kaith, Advocate
for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the order dated 11.11.2021 (Annexure P-1), whereby the demand of the petitioner for setting aside the order passed by the respondents stopping one increment of the petitioner with cumulative effect, had been rejected.

Learned counsel for the petitioner contends that the petitioner was a driver of the bus and merely on account of the MACT Award being passed against the respondents No.2 to 4, he could not have been proceeded against. The bus had met with a minor accident in which one person was injured and the Motor Accident Claims Tribunal (hereinafter referred to as 'the MACT') had awarded compensation of Rs.59,444/- to be paid by respondents No.2 to 4. Respondents No.2 to 4 themselves, in the claim petition before the MACT, had stated that there was no fault on the part of the petitioner who was driving the bus.

Heard.

The petitioner was the driver of the bus which met with an accident. The MACT awarded compensation of Rs.59,444/- to the injured

person after holding that the petitioner was responsible for causing the accident. Thereafter respondent No.2 employer issued notice to the petitioner, he was charge-sheeted and he had submitted his reply. A regular enquiry was held and he was also issued show cause notice and given opportunity of personal hearing before passing the order withholding one increment with cumulative effect.

Therefore, as the petitioner had been imposed the punishment after conducting a regular enquiry and affording full opportunity to the petitioner to put forth his defence, I do not find any merit in this petition.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

03.03.2022

SwarnjitS

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