

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

101

**CR-4601-2015 (O&M)
Date of decision:04.03.2022**

M/S SHIRISHTI WOOL COMBERS

...Petitioner

Versus

RAM CHAND & ANR

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Rahul Rampal, Advocate,
for the petitioner.**

**Mr. NPS Mann, Advocate,
for respondent no.1.**

ANIL KSHETARPAL, J (Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

The Labour Court, Ludhiana, passed an award in favour of Ram Chand and against Adishwar Spinners Limited, on 19.03.2004. More than 18 years have elapsed, however the workman has not been paid the amount payable as per the award which has become final. It is not in dispute that Adishwar Spinners Limited had set up its factory on a lease hold plot allotted by the Punjab Small Industries and Export Corporation Ltd. It is also not in dispute that the aforesaid plot is now in possession of M/s Shirishti Wools Combers.

The Adishwar Spinners Limited was managed by Sh. Sushil Jain, whereas M/s Shirishti Wools Combers is run by his children.

The learned counsel representing the petitioner contends that the award could not be executed against M/s Shirishti Wools Combers.

On a court question, he admits that the immovable property on which the factory was set up by the Adishwar Spinners Limited is in possession of M/s Shirishti Wools Combers . In other words, it is obvious that the children of Sh. Sushil Jain have inherited the lease hold rights of the industrial plots along with construction thereon from their father.

Hence, there is no substance in the argument.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

March 04, 2022
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(ANIL KSHETARPAL)
JUDGE

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