

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

115

CWP-26466-2021

Date of decision : 02.02.2022.

The Aspal Kalan Multi Purpose Cooperative Agriculture Service Society
Limited

... Petitioner

Versus

Presiding Officer, Industrial Tribunal, Patiala and another

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Arihant Goyal, Advocate for the petitioner.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioner/Society has challenged the award of the Labour Court dated 17.08.2021 (Annexure P-7) whereby the Society has been directed to pay the wages from 01.06.2013 to 31.03.2014 @ Rs.4,000/- per month to respondent No.2.

Learned counsel for the petitioner contends that the respondent/workman had withdrawn excess salary for the period in question. He was also held responsible for embezzlement of the stock to the extent of Rs.2,08,360/- and therefore, that amount should have been adjusted against any outstanding dues.

Heard.

The respondent/workman was appointed as Salesman with the petitioner on 29.11.2008 for 89 days at a fixed salary of Rs.2,000/- per month and later his salary was increased from Rs.2,000/- to Rs.4,000/- per month vide

resolution dated 07.10.2009. It had been recorded in the order of the Labour Court that against the wages which had allegedly been received by the respondent/workman without approval of the Registrar from 01.07.2011 to 31.03.2013, recovery of Rs.2,08,360/- has been imposed and the workman had specifically stated in the written statement that he had deposited Rs.2,02,340/-, which was unrebutted by the petitioner. The Tribunal has arrived at a finding of fact that the respondent/workman was entitled to the wages as he was present and performed his duty from 01.06.2013 to 31.03.2014.

In view of the above, I do not find any infirmity in the impugned order which would warrant interference while exercising writ jurisdiction. Even otherwise, it will be inequitable at this stage to interfere with the award of the Labour Court which pertains to wages for the period 2013-14.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

February 02, 2022
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No