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

**CWP-10050-2023 (O&M)
Date of Decision: 10.05.2023**

HARYANA MULTI SPECIALITY HOSPITAL

.. Petitioner

Vs.

**AUTHORITY, UNDER THE PAYMENT OF WAGES ACT, AND
ANOTHER**

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Promila Nain, Advocate and
Ms. Harleen Ahluwalia, Advocate
for the petitioner.

...

Manoj Bajaj, J.

This writ petition has been filed under Article 226 Constitution of India for issuance of a writ of Certiorari for quashing the impugned order dated 09.02.2023 (Annexure P-2) passed by respondent No.1, whereby application moved by the petitioner for setting aside the *ex parte* order dated 08.08.2022 (Annexure P-1) was dismissed.

Learned counsel submits that vide order dated 08.08.2022 (Annexure P-1), the authority under the Payment of Wages Act, 1936, Circle-I Sonipat passed an *ex parte* decision directing the petitioner-department to deposit Rs.36,220/- which also includes compensation of Rs.2500/- in favour of respondent No.2-Joginder Singh and against this, an application was moved by the petitioner on 06.01.2023 (Annexure P-4) for setting aside the *ex parte* decision dated 08.08.2022, but the same has been dismissed vide order dated 09.02.2023 (Annexure P-2). She submits that the statutory authority has not considered the application on merits while

application for setting aside *ex parte* order has also been dismissed. She submits that there is no other separate order passed by the authority, therefore, the impugned order is not sustainable.

Upon hearing the learned counsel and considering the nature of the impugned order dated 09.02.2023, this Court has no hesitation in holding that the impugned order is non-speaking and has been passed hastily without even touching the contents of the application moved by the petitioner for setting aside the *ex parte* order dated 08.08.2022.

Resultatntly, the impugned order dated 09.02.2023 is set aside and it is directed that the authority shall decide the application afresh after hearing both the parties.

Parties to appear before the Authority under the Payment of Wages Act, 1936, Circle-I, Sonapat on 31.05.2023.

10.05.2023
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No