

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

CWP-12342-2023

Date of decision : 01.06.2023

Harjinder Pal

...Petitioner

Vs.

**Industrial Tribunal, Ludhiana
and another**

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sarvesh Malik, Advocate for the petitioner.

MANOJ BAJAJ, J.

By means of this writ petition filed under Article 226 Constitution of India petitioner has prayed for issuance of a writ in the nature of certiorari for quashing the order dated 21.07.2022 (Annexure P-6), whereby his application filed under Section 33-C(2) Industrial Disputes Act, 1947 claiming compensation of Rs.8,44,619/- against the overtime, Sundays, bonus, notice pay and overtime was partly allowed by awarding a sum of Rs. 60350/-.

Learned counsel submits that the claim of the workman (petitioner) has been partly accepted by the Labour Court and awarded him wages for a period from 01.09.2020 to 15.09.2020 along with the wages in lieu of holidays/Sundays for a period from 19.01.2016 to 05.09.2020 and granted a total sum of Rs.60,350/-. He submits that the Labour Court has wrongly denied his claim for bonus and overtime wages on the ground that the workman has failed to adduce any evidence in this regard. Learned counsel has drawn the attention of the Court to the affidavit of Charanjit Singh son of S.Joginder Singh (Annexure P-7) to contend that the said employee has admitted that he worked overtime for four hours, but this witness was not examined by him

during the proceedings before the Labour Court, therefore, he be allowed to examine this witness in support of the claim, which has been denied by the Labour Court.

Upon hearing learned counsel, this Court does not find any merit in the writ petition as the workman was afforded full opportunity to produce the evidence in support of his case. Further, the affidavit dated 24.04.2023 (Annexure P-7) by Charanjit Singh shows that it does not contain any grievance relating to the petitioner herein, therefore, this is not relevant to the cause brought by the petitioner before the Labour Court.

Resultantly, this Court is not inclined to exercise the extra ordinary writ jurisdiction under Article 226 Constitution of India.

Petition is dismissed.

(MANOJ BAJAJ)
JUDGE

01.06.2023
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No