

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

RSA-3628-2018

Date of Decision: 15.05.2023

Barkha Ram

...Appellant

Versus

Steel Strips Wheels Pvt. Ltd. and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Suresh Kumar Kaushik, Advocate
for the appellant.

Mr. Shobit Phutela, Advocate for the respondents.

HARSIMRAN SINGH SETHI, J. (Oral)

Present Regular Second Appeal has been filed challenging the judgment and decrees of the Courts below, whereby the suit filed by the appellant/plaintiff for recovery of the service benefits withheld by respondent-defendant, has been dismissed.

Learned counsel for the appellant submits that the Courts below have not granted him the benefit of recovery of Rs.1,37,411/- on the ground that nothing has come on record to prove as to on what account, the said amount was being claimed from the respondents. Learned counsel submits that it is a conceded position that the appellant was working with respondents and the appellant was only claiming the arrears of salary as well as the gratuity for the period he had worked hence, the appellant is not pressing the present Regular Second Appeal but he be given liberty to file appropriate representation claiming the said amount from the respondents by giving the details and the justification of the same for the consideration of the respondent-employer and the

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respondent be directed to decide the same independent of the finding recorded in the Courts below.

Learned counsel for the respondents submits that in case any such representation is filed, the same will be looked into and an appropriate order will be passed for the claim raised within a period of eight weeks and in case it is found that any amount is liable to be paid to the appellant-employee, the same will be released within a period of eight weeks, otherwise, a detail order deciding the claim will be passed.

Learned counsel for the appellant submits that the present appeal be disposed of being not pressed in view of the statement of learned counsel for the respondent but liberty be given to the appellant to seek the refund of the Court fee, which was deposited.

Ordered accordingly.

15.05.2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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