



CWP-19819-1996

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19819-1996

Date of Decision:04.11.2024

UNION OF INDIA

..... Petitioner

Versus

MADAN LAL BHAGAT AND ANR.

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Piyush Khanna, Advocate
for the petitioner.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 22.03.1994 (Annexure P-1) whereby Central Government, Industrial Tribunal-cum-Labour Court, Chandigarh has allowed application of the respondent filed under Section 33-C(2) of Industrial Disputes Act, 1947 (for short 'ID Act').

2. The workman claiming arrears on account of stepping up of his pay filed an application before Industrial Tribunal under Section 33-C(2) of ID Act. The said application was allowed by impugned order. The relevant extracts of the impugned order read as under:

“8. In view of the discussions made in the earlier paras, the present application is allowed. The pay of the petitioner is ordered to be stepped up to a figure equal to Harpal Singh junior from the date when he was promoted due to administrative error. Thus by



virtue of stepping up his pay the petitioner would be certainly entitled to the arrears of salary and other monetary benefits. The management is directed to compute the same and necessary payments be made within three months alongwith interest 12% per annum from the date of filing of this application i.e. 10.1.1985.”

3. Mr. Piyush Khanna, Advocate for the petitioner submits that differential amount as ordered by Industrial Tribunal comes to Rs.20,000/-.
4. The matter is pending before this Court since 1996 and there has never been any representation on behalf of the respondent. The petitioner is disputing its liability on the sole ground that reply was not filed on merits. The representative of the petitioner appeared as witness and impugned order is based upon deposition of petitioner’s witness.
5. Considering the amount involved, findings of Industrial Tribunal and paras 50-52 of judgment of Supreme Court in **Central Council for Research in Ayurvedic Sciences and another v. Bikartan Das and others, 2023 SCC OnLine SC 996**, this Court does not find it appropriate to invoke its writ jurisdiction.
6. Dismissed.

(JAGMOHAN BANSAL)
JUDGE

04.11.2024
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No