

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

111

CWP-7362-2024

Date of Decision : 15.10.2024

M/S JAIN FURNISHING

.... PETITIONER

V/S

THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL CUM
LABOUR COURT, UT CHANDIGARH AND ANOTHER

.... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE JAGMOHAN BANSAL

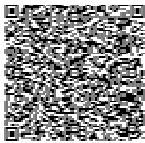
Present :- Mr.Raj Kaushik, Advocate and
Mr. Harsh Vardhan, Advocate
for the petitioner.

Mr. Ritesh Tomar, Advocate
for respondent No.2.

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 16.10.2023 (Annexure P-12) whereby Labour Court has directed it to pay a sum of Rs.72,960/- towards earned leave within three months.

2. The respondent-workman worked with the petitioner from 2012 to 2020. He served a demand notice demanding reinstatement, bonus, leave encashment and overtime wages. The matter came up for consideration before the Conciliation Officer who got the matter amicably settled. The workman was paid a sum of Rs.75,000/- towards



full and final account settlement. The workman preferred an application before the Labour Court under section 33-C (2) of Industrial Disputes Act, 1947 claiming leave encashment. The said application was allowed by Labour Court vide impugned order dated 16.10.2023. The management has been directed to pay a sum of Rs.72,960/- along with interest. The petitioner has deposited aforesaid amount along with due interest with Labour Court.

3. Counsel for the parties are ad-idem that the aforesaid amount may be reduced to 50% of the amount already deposited with Labour Court.

4. In the wake of statement of both sides, the present petition stands disposed of with a direction to Labour Court to release 50% of already deposited amount to petitioner and 50% to workman-respondent No.2.

(JAGMOHAN BANSAL)
JUDGE

15.10.2024
anju

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