



CWP-8726-2023

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203 IN THE HIGH COURT OF PUNJAB AND HARYANA
 AT CHANDIGARH

CWP-8726-2023

Date of decision: 28.11.2024

PUNJAB STATE POWER CORPORATION
AND ORS.

...PETITIONERS

VERSUS

PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, BATHINDA AND
ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Dhruv Walia, Advocate for the petitioners.

Mr. Arihant Goyal, Advocate for respondent No.2.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Article 226 of the Constitution of India are seeking setting aside of order dated 14.09.2022 (Annexure P-1) whereby the Labour Court in exercise of power conferred by Section 33-C (2) of Industrial Disputes Act, 1947 (for short 'ID Act') has allowed application of the respondent-workman.

2. The petitioner is a Public Sector Undertaking and respondent No.2 was its employee. She served petitioner from 1974 to 2017. She was regularized in the year 1988. The petitioner multiple times tried to reduce her salary and every time Court came to her rescue. The orders passed by the petitioner were set aside.

3. By impugned order, the Labour Court has set aside action of petitioner which was fourth attempt to reduce respondent's salary.

4. On the asking of Court, learned counsel for the parties concede that

respondent-workman has already retired from service on attaining the age of



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superannuation and differential amount comes to approximately Rs.1,70,000/-.

5. Considering the amount involved, the factum that respondent has already retired, this was fourth attempt of the petitioner to reduce salary of the respondent and paragraphs 50 to 52 of the judgment of Supreme Court in '*Central Council for Research in Ayurvedic Sciences and another Versus Bikartan Das and others*' 2023 SCC Online SC 996, this Court does not find it appropriate to interfere with the impugned order dated 14.09.2022 (Annexure P-1).

6. Dismissed.

28.11.2024

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(JAGMOHAN BANSAL)
JUDGE

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