



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(118)

CWP No. 2572 of 2025

Date of Decision : 30.01.2025

Director State Transport, Punjab and another

...Petitioners

Versus

Presiding Officer (On the Rank of Additional District Judge), Industrial
Tribunal, Gurdaspur and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. T.P.S. Chawla, Senior Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the challenge is against the Award dated 19.01.2017 (Annexure P-8).

2. Learned counsel for the petitioner-State submits that the benefit has been given to the employees twice and as such their pay scale has been revised w.e.f. 01.01.1996 and thereafter 01.01.2006 by the virtue of the order passed by the petitioner-State dated 14.07.2008 (Annexure P-3). Learned counsel for the petitioner-State submits that as the said order dated 14.07.2008 (Annexure P-3) has been withdrawn, thus, the Award dated 19.01.2017 (Annexure P-8) should be set-aside.

3. I have heard learned counsel for the petitioner-State and have gone through the record with his able assistance.

4. Once, upto the date of the Award i.e. 19.01.2017 (Annexure P-8), the letter dated 14.07.2008 (Annexure P-3) was very much in existence,



direction given by the Labour Court to comply with the same qua the employees so as to revise their pay scale cannot be said to be arbitrary and illegal or perverse in any manner. Just because the petitioner-State have withdrawn the said letter consequently, this act in itself does not take away the right of the petitioners to claim the benefit on the basis of the said letter, especially when the said withdrawal of the letter dated 14.07.2008 is pending adjudication before this Court.

5. Further, learned counsel for the petitioner-State was requested to point out the perversity in the order dated 14.07.2018 (Annexure P-3) but nothing has been shown to this Court. The Award dated 19.01.2017 (Annexure P-8) is being challenged after a period of eight years and that too on the basis of the subsequent fact, which have come after the Award and thus, cannot be taken into account so as to adjudge the correctness of the Award.

6. No other argument was raised.

7. Keeping in view the above, no ground is made out for any interference by this Court in the present petition.

8. Dismissed.

January 30, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No