

2025:PHHC:059894-DB



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

LPA-1240-2025 (O&M)

Date of decision:30.04.2025

ANGLO FRENCH DRUGS & INDUSTRIES LTD.

.....Appellant

Versus

MANISH SACHDEVA & ANR.

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE ALOK JAIN**

Present:- Mr. Barjinder Singh, Advocate for the appellant.

SUDHIR SINGH, J.

CM-3045-LPA-2025

For the reasons given in the application, the same is allowed. Delay of 19 days in filing the appeal is condoned.

LPA-1240-2025

Challenge in the instant intra Court appeal is to the order dated 03.03.2025 passed by the learned Single Judge, whereby the writ petition filed by the appellant was dismissed.

2. Before the learned Single Judge, the appellant had laid challenge to the order dated 19.12.2024 (Annexure P-5 with the writ petition) passed by the concerned authority under the Payment of Minimum Wages Act, 1948, thereby directing the appellant to pay a sum of Rs.3,39,028/- along with interest @ 6% from the date of the

impugned order till the actual payment.

3. Respondent No.1 had filed a claim application before the Authority under the Minimum Wages Act-cum-Assistant Labour Commissioner, Sangrur, asserting therein that he had been working as sales promotion employee under the appellant since September, 2007. It was asserted by him that he was being paid less than minimum wages, as applicable in terms of the notification of the Punjab Government. Accordingly, he had claimed that an amount of Rs.4,09,066/- was payable by the appellant-Management. The said claim of respondent No.1 was contested by the appellant asserting therein that the application filed by respondent No.1 was time barred. The authority on the basis of the evidence and the rival contentions, allowed the said application, directing the appellant-Management to pay respondent No.1 a sum of Rs.3,39,028/- along with interest @ 6% per annum, as noticed above.

4. The said order was challenged in the writ petition, which as indicated above, was dismissed by the learned Single Judge.

5. Learned counsel for the appellant-Management has vehemently contended that the very application filed by respondent No.1 was barred by limitation inasmuch as in terms of Section 20(3) of the Minimum Wages Act, 1948, any such application was required to be moved by respondent No.1 within a period of 6 months, whereas in the instant case, it was filed after 15 years. It is further argued that the authority had wrongly concluded that respondent No.1 was not aware of the law of Minimum Wages, whereas the fact remains that ignorance of law can never be an excuse. It is further argued that

respondent No.1 left his job in March, 2022 without any intimation to the appellant-Management, which fact was admitted by him in his cross-examination. It is, thus, argued that the impugned order passed by the learned Single Judge, is liable to be set aside.

6. We have heard learned counsel for the appellant and have also gone through the case file, including the impugned order.

7. The only question that arises for consideration by this Court is whether the order passed by learned Single Judge, requires any interference.

8. A perusal of the impugned order would show that the learned Single Judge has found that in view of the fact that the appellant-Management did not dispute the entitlement of respondent No.1 to the minimum wages, as calculated by him in the chart produced before the Authority, the impugned order could not be said to be illegal or unjustified and accordingly, has dismissed the writ petition.

9. We find that once the appellant-Management did not lead any evidence to counter the claim raised by respondent No.1 in respect of non-payment of the minimum wages in terms of the notification(s) issued by the Government of Punjab, the Authority under the Minimum Wages Act, was perfectly justified in directing the payment of such minimum wages to respondent No.1. Though the learned counsel for the appellant has tried to argue that the claim application filed by respondent No.1 was barred by limitation, yet the fact remains that the cause of action in respect of the minimum wages kept occurring to respondent No.1 on continuous basis, it cannot be

said that his claim was barred by limitation. We, thus, find no illegality or perversity in the impugned order passed by the learned Single Judge.

10. No other point has been urged.
11. In view of the above, finding no merit in the present appeal, the same is hereby dismissed.
12. Pending application(s), if any, shall also stand disposed of.

[SUDHIR SINGH]
JUDGE

[ALOK JAIN]
JUDGE

30.04.2025
himanshu

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