



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

CWP-4154-2020 (O&M)

Date of decision: 17.03.2026

Rahimdeen

....Petitioner

Versus

Assistant Labour Commissioner and another

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Nakul Sharma, Advocate, and
Mr. Karan Sirohi, Advocate, for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

Mr. Sandeep K. Sharma, Advocate, and
Mr. Utsav Sharma, Advocate, for respondent No.2.

KULDEEP TIWARI, J. (Oral)

1. The petitioner has challenged the order dated 20.12.2019 (Annexure P-13), vide which, the application moved the private respondent(s) for setting aside the *ex parte* order dated 23.01.2017, accompanied therewith an application seeking condonation of delay, was allowed, without affording any opportunity of hearing to him.

2. The solitary submission advanced on behalf of the petitioner is that there exists an apparent infraction of principles of natural justice, therefore, the impugned order is liable to be out-rightly dismissed.

3. On the other hand, learned counsel for respondent No.2 submits that, Sh. Nirmal Singh expired during the pendency of the application moved by petitioner, which led to passing of the abovesaid *ex parte* order dated 23.01.2017. Accordingly, the authority concerned, considering the abovesaid crucial aspect, allowed the application moved by his legal representatives. Therefore, no fault can be found with the impugned order.

4. At this stage, learned counsel for the parties have arrived at a consensus that legal representatives of deceased-respondent No.2 shall deposit the entire assessed amount, along with interest, in terms of the



order dated 23.01.2017, with the competent authority under the Minimum Wages Act, 1948 (for short, ‘the Act of 1948’), subject to the final outcome of the *lis*.

5. In terms of the abovesaid consensus arrived at between the parties, the instant writ petition is **disposed of**, with the following directions:-

- a) *Legal representatives of the deceased-Nirmal Singh shall, within 30 days from today, deposit the entire assessed amount, along with interest, in terms of the order dated 23.01.2017 (Annexure P-1), with the Controlling Authority, under the Act of 1948, which shall be subject to the final outcome of the matter;*
- b) *Whereupon, the authority concerned, after affording adequate opportunity of hearing to the parties concerned, shall decide the matter afresh, within three months thereafter; and*
- c) *None of the parties shall adopt any delaying tactics, rather, extend their full cooperation to enable the authority concerned, to finally decide the matter, within the stipulated period.*

(KULDEEP TIWARI)
JUDGE

17.03.2026
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No