2026:AHC:209798

# HIGH COURT OF JUDICATURE AT ALLAHABAD

**WRIT - C No. - 40546 of 2026**

M/S Aggunj

.....Petitioner(s)

Versus

State Of Uttar Pradesh And 16 Others

.....Respondent(s)

| | | |
|---|---|---|
| Counsel for Petitioner(s) | : | Vishesh Rajvanshi |
| Counsel for Respondent(s) | : | C.S.C. |

**Court No. - 36**

**HON'BLE SAURABH SHYAM SHAMSHERY, J.**

1. Heard Sri Vishesh Rajvanshi, learned counsel for petitioner and Sri P. Tripathi, learned Standing Counsel for State.

2. The petitioner is an employer who is aggrieved by impugned order passed by Prescribed Authority under U.P. Industrial Peace (Timely Payment of Wages) Act, 1978 who has allowed claim of respondents workmen for payment of salary from 01.03.2026 to 31.03.2026 and accordingly, a direction to pay their salary was made.

3. Learned counsel for petitioner submits that subsequently, all workmen have entered into a settlement, therefore, order impugned cannot be executed now. He further submits that serious objection was submitted and claim was seriously disputed, therefore, Prescribed Authority under said Act has no jurisdiction to decide the dispute after investigation since it requires investigation and he refers objections taken in reply before Authority.

4. In support of his submissions, he has also placed reliance upon a judgment of this Court in **M/s Modi Rubber Ltd. vs. State of U.P. and others, 2019:AHC:129295**.

5. I have considered above submissions and perused the records.

6. Only because there was a denial of claim that wages were already paid would not mean that claim was highly disputed specifically when no proof was submitted about payment. In Modi Rubber (supra), it was held

that if Prescribed Authority finds that it requires an investigation to dispute then only no order will be passed under said Act, however, in present case, a vague denial without support of any document would not exclude the jurisdiction. Otherwise also, the Act would become redundant. Therefore, said objection does not survive.

7. Other argument that subsequently contesting respondents have entered into a compromise and full and final payment were made, however, Court does not find that it does not specifically include liability fixed on the petitioner in terms of impugned order, therefore, only on basis of such nature of settlement, Court cannot hold that impugned order has become unforceable.

8. In aforesaid circumstances, once it has not been disputed that workmen were working with petitioner and salary was not paid and claim for unpaid salary was allowed, therefore, there is no perversity in impugned order.

9. In view of above, this Court does not find any reason to interfere with impugned order, therefore, writ petition lacks merit, hence, **dismissed**.

**(Saurabh Shyam Shamshery,J.)**

**October 7, 2026**
N. Sinha

Digitally signed by :-
NIRMAL SINHA
High Court of Judicature at Allahabad