
(2007) 02 P&H CK 0046
In the Punjab And Haryana At Chandigarh

Sat Narain

APPELLANT

Vs

General Manager, Haryana Roadways

RESPONDENT

Date of Decision : 07-02-2007

Acts Referred:

Payment of Wages Act, 1936 — Section 15

Citation : (2007) 113 FLR 554 : (2007) 3 LLJ 207

Hon'ble Judges : Hemant Gupta, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Hemant Gupta, J.—The challenge in the present revision petition is to the order dated June 30, 1988 passed by the Authority under the Payment of Wages Act, 1936 and the order in appeal dated January 18, 1989 against the aforesaid order.

2. The petitioner has filed a petition u/s 15 of the Payment of Wages Act, 1936 (hereinafter referred to as "the Act"), claiming a sum of Rs. 209/- on account of wages for the period April 1, 1985 to February 28, 1986 and bonus for the year 1985-1986.

3. It was found by the learned Authority that two increments of the petitioner was stopped by the order of the disciplinary Authority i.e. General Manager, after a charge sheet was served upon the petitioner and the reply received. Therefore, it was found that deductions are not illegal. The said order was affirmed in appeal as well.

4. After hearing the learned Counsel for the parties, I am of the opinion that the petition u/s 15 of the Payment of Wages Act, 1936 itself was not maintainable. It has been so held by this Court in the case of State of Punjab v. Dildar Singh 2007 (1) Service Cases Today 202 and General Manager, Punjab Roadways, Ropar v. Swaran Singh 2001 (3) RSJ 41 and General Manager, Punjab Roadways v. Ajit Singh, Conductor 2000 (1) RSJ 276, while relying upon the judgment of Hon'ble Supreme of India, State of Punjab and Ors. v. Baldev Singh, Conductor

1999 (1) RSJ 201 (SC), that the Authority constituted under the Payment of Wages 1936 has no jurisdiction to interfere in the order passed by the Disciplinary Authority against the employee concerned.

5. In view of the above, the present revision petition is dismissed.