



2026:PHHC:074357

CWP-7098-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-7098 of 2023

Date of decision: 12.05.2026

M.C.M. D.A.V. Centenary Public School, Mission Road,
Pathankot and another

.... Petitioners

Vs.

Industrial Tribunal, Amritsar and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Rajdeep Singh Cheema, Advocate,
for the petitioners.

Mr. Vishal Aggarwal, Advocate, with
Ms. Aastha Sharma, Advocate,
for respondent No.2.

KULDEEP TIWARI, J (Oral)

1. Learned counsel for the parties are *ad idem* that the application preferred by respondent No.2 under Section 33-C(2) of the Industrial Disputes Act, 1947, is misconceived, as he has an efficacious statutory remedy available under the provisions of the Minimum Wages Act, 1948.

2. In view of the above consensus, the impugned order is ***set aside***. However, liberty is granted to respondent No.2 to avail the appropriate remedy and raise all permissible pleas before the competent authority under the Minimum Wages Act, 1948.

3. Learned counsel for the petitioners fairly submits that the petitioners shall not raise the objection of limitation before the competent authority, considering that respondent No.2 had been *bona fide* pursuing the misconceived remedy before the Tribunal under the Industrial Disputes Act, 1947.

4. Accordingly, the instant petition stands ***disposed of***, however, with the liberty aforesaid.

(KULDEEP TIWARI)
JUDGE

12.05.2026
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No