

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil Writ Petition No. 8748/2026

Chief Manager

-----Petitioner

Versus

Ramnarayan

-----Respondent

For Petitioner(s) : Mr. Loon Karna Purohit

For Respondent(s) :

HON'BLE MR. JUSTICE ANAND SHARMA

Order

23/04/2026

Learned counsel for the petitioner submits that feeling aggrieved by penalty of withholding four annual grade increments with cumulative effect, industrial dispute was raised by the respondent-workman, which was ultimately referred to the Industrial Tribunal cum Labour Court, Sri Ganganagar for adjudication. Learned counsel submits that the Labour Court has transgressed its powers and jurisdiction in the manner that while passing award dated 21.09.2022, the enquiry conducted by the petitioner-Corporation has been held to be fair and proper, yet interference has been made in quantum of punishment.

Learned counsel submits that powers of Labour Court in making interference in quantum of punishment is limited to the exigencies contemplated in Section 11A of Industrial Disputes Act, 1947 and Labour Court or Tribunal can modify the penalty only in the case of discharge or dismissal of workman. In the instant case, penalty imposed upon the petitioner was neither of discharge or dismissal but of withholding four annual grade

increments with cumulative effect. Under these circumstances, the Tribunal could not interfere in the quantum of punishment, yet vide award dated 21.09.2022, the penalty order has been modified and lesser penalty of withholding four annual grade increments without cumulative effect has been imposed.

Matter requires consideration.

Issue notices to the respondents.

Since prima facie, award dated 21.09.2022 passed by Labour Court is against the provisions of Section 11A of the Act of 1947, till further orders, operation and execution of award dated 21.09.2022 shall remain stayed.

(ANAND SHARMA),J