

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 18519/2025

Deputy General Manager

-----Petitioner

Versus

Salim Khan

-----Respondent

For Petitioner(s) : Mr. Abhishek, Adv. for
Mr. Prateek Mathur

For Respondent(s) :

HON'BLE MR. JUSTICE ANAND SHARMA

Order

13/02/2026

Learned counsel for the petitioner submits that while passing award dated 29.07.2025, learned Industrial Tribunal, Kota (hereinafter to be referred as 'the Tribunal') has transgressed its jurisdiction by exercising powers under Section 11-A of the Industrial Disputes Act, 1947 (hereinafter to be referred as 'the Act of 1947'). Learned counsel further submits that provisions of Section 11-A of the Act of 1947 are applicable only in the cases, where penalty of discharge/dismissal has been inflicted upon the workman.

In the instant case, the penalty which was under consideration before the Tribunal was withholding one grade increment with cumulative effect. Therefore, provisions of Section 11-A of the Act of 1947 were not at all applicable.

Matter requires consideration.

Issue notices to the respondents.



[CW-18519/2025]

In the meanwhile and till further orders, operation of award dated 29.07.2025 shall remain stayed.

(ANAND SHARMA),J

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