



complaint and no direction was issued for payment of wages to the workers with retrospective effect, the High Court has passed the impugned order directing payment of 50% wages to the workers irrespective of the fact whether they have worked or not. Learned counsel then referred to Investigator's report dated 26.04.2010 and submitted that on the date of inspection, 77 workers were found to have punched their cards in the punching machine. According to the learned counsel, some of the 77 workers were also found idle. He further submitted that the High Court was not at all justified in directing payment of wages to the workers who had resorted to illegal strike.

We have considered statement and submissions of the learned counsel and are of the view that the the petitioners' challenge to the impugned order needs consideration.

Issue notice to the respondent, returnable in sixteen weeks.

Issue notice on the petitioners' prayer for interim relief.

In the meanwhile, the operation of the impugned order passed by the Division Bench of the High Court shall remain stayed subject to the condition that the petitioners shall pay full wages to the

3

77 workers who were found to have punched their cards at the time of inspection carried out by the Investigator. Those workers should be paid wages with effect from the date they reported for duty.

( Satish K.Yadav )  
Court Master

( Phoolan Wati Arora )  
Court Master