

M/S A P Enterprises vs Sh. Budhan Ram on 21 March, 2018

Author: Vinod Goel

Bench: Vinod Goel

\$~40

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(C) 2762/2018 & CM APPL. 11214/2018 (Stay)
M/S A P ENTERPRISES Petitioner
Through: Mr.Alok Bhachawat, Advocate.

versus

SH. BUDHAN RAM Respondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE VINOD GOEL
ORDER

% 21.03.2018

1. The impugned order dated 15.06.2016 of the Authority under Minimum Wages Act, 1948 directs the petitioner to pay arrears of wages in respect of the respondent for the period from 01.10.2014 to 01.03.2015 i.e. Rs.26,868/- and five times compensation thereof i.e. Rs.1,34,340/-, total Rs.1,61,208/-. This order was passed ex-parte against the petitioner. The application of the petitioner to set aside the ex-parte order was dismissed by the order dated 19.12.2017 by the said Authority.

2. Learned counsel for the petitioner submits that in fact copy of the summon dated 16.06.2015 issued by the authority under the Minimum Wages Act, 1948 reflects that his address is wrongly mentioned as "446, Nagoria Mohalla, Tughalkabad Village, New Delhi-110044" instead of "446, K, Nagoria Mohalla, Tughalkabad Village, New Delhi-110044". He submits that summon was never served upon them. He submits that after passing the impugned order, the proceedings for recovery by way of execution were started before Judge, Evening Court, Patiala House Courts where he received the summons at the correct address i.e. "446, K, Nagoria Mohalla, Tughalkabad Village, New Delhi-110044".

2. In the circumstances, the impugned order dated 15.06.2016 and consequent proceedings before the Judge, Evening Court, Patiala House Courts are hereby ordered to be stayed till the next date of hearing.

3. List on 02.11.2018.

4. Dasti under signatures of the Court Master.

VINOD GOEL, J.

MARCH 21, 2018 dkb