



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

LPA-1671-2017 (O&M)

Reserved on : 06.07.2026

Pronounced on: 20.07.2026

Uploaded on: 21.07.2026

The Panipat Central Cooperative Bank Limited, Panipat through its
Managing Director

..... Appellant

VERSUS

Kuldeep Singh and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL
HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA**

Present: Mr. Kuldip Singh, Advocate, for the appellant.

Mr. Varun Veer Chauhan, Advocate, for respondent No.1.

DEEPINDER SINGH NALWA, J.

1 In the present Letters Patent Appeal, challenge is made to the judgment dated 16.02.2017 passed by the learned Single Judge, in the second writ petition, whereby, respondent No.1-workman has been held entitled to grant of 50% back wages for the period from 28.10.1988 i.e. from the date of filing of the first writ petition, till the date of passing of the award i.e. 10.05.1995 and full back wages from 10.05.1995 till 30.05.1996 i.e. period from the passing of the award till reinstatement.



2. Brief facts of the case are that respondent No.1-workman was employed as a Secretary in Karnal Central Cooperative Bank Limited, Karnal on 07.02.1985. It transpires that the services of respondent No.1-workman were terminated on 20.02.1986. Aggrieved against the abovesaid termination, respondent No.1-workman filed the first writ petition in this Court being CWP-9567-1988. The abovesaid writ petition was withdrawn on 23.09.1992 to approach the appropriate forum under the Industrial Disputes Act, 1947 (hereinafter referred to as the 'Act'). Thereafter, respondent No.1-workman served a demand notice on the appellant-management, wherein, it was the case of respondent No.1-workman that he was employed as a Secretary in Karnal Central Cooperative Bank Limited, Karnal on 07.02.1985 and his services were terminated on 20.02.1986. It was the case of respondent No.1-workman that as respondent No.1-workman had completed more than 240 days preceding 12 months from the date of termination, as such, before terminating the services of respondent No.1-workman, the appellant-management was required to comply with the provisions of Section 25-F of the Act. It was the case of respondent No.1-workman that as there is no compliance of Section 25-F of the Act, as such, the termination was bad in law. It was also the case of respondent No.1-workman that there is violation of Section 25-G and 25-H of the Act also.

3. No settlement could be arrived at between the parties, as such, the matter was referred to the Industrial Tribunal-cum-Labour



Court, Panipat. Respondent No.1-workman duly filed claim statement reiterating his stand as taken by him in the demand notice. The appellant-management also duly filed written statement to the claim statement filed by respondent No.1-workman. It was the case of the appellant-management that respondent No.1-workman was employed for a specific period and on expiry of the said specific period, respondent No.1-workman was relieved, as such, there was no violation of Section 25-F of the Act and as such, respondent No.1-workman was not entitled to be reinstated in the service. It was also the case of the appellant-management that the industrial dispute raised by respondent No.1-workman was raised after an inordinate delay and as such, the claim of respondent No.1-workman was liable to be rejected on this ground also. The Industrial Tribunal-cum-Labour Court, Panipat decided the reference partially in favour of the respondent No.1-workman vide award dated 10.05.1995. As per the abovesaid award, respondent No.1-workman was held entitled to be reinstated with continuity of service, however, taking into consideration that the demand was raised by respondent No.1-workman after 06 years, it was held that respondent No.1-workman was not entitled for grant of any back wages. A perusal of the award dated 10.05.1995 passed by the Industrial Tribunal-cum-Labour Court, Panipat would also show that it has been held by the Labour Court, Panipat that there was violation of Section 25-F of the Act.



4. Aggrieved against the award passed by the Industrial Tribunal-cum-Labour Court, Panipat dated 10.05.1995, whereby, respondent No.1-workman was denied the benefit of back wages, respondent No.1-workman filed the second civil writ petition before this Court being CWP-13548-1996. The learned Single Judge partly allowed the writ petition and modified the abovesaid award dated 10.05.1995 to an extent that respondent No.1-workman was entitled for grant of 50% back wages from the date of filing of the first writ petition i.e. 28.10.1988 till the date of passing of the award i.e. 10.05.1995 and full back wages from 10.05.1995 till 30.05.1996 i.e. the period after passing of the award till reinstatement of respondent No.1-workman. A perusal of the judgment dated 16.02.2017 passed by the learned Single Judge would show that taking into consideration that there was a delay in raising the demand by respondent No.1-workman, respondent No.1-workman was held entitled for grant of 50% back wages for the period from 28.10.1988 to 10.05.1995 and full back wages from 10.05.1995 to 30.05.1996. Aggrieved against the judgment dated 16.02.2017 passed by the learned Single Judge, the appellant-management has filed the present appeal.

5. The only contention raised by the learned counsel appearing on behalf of the appellant-management is that respondent No.1-workman is not entitled for grant of 50% back wages for the period from 28.10.1988 i.e the date of filing of writ petition. He submits that as respondent No.1-workman has served the demand notice in the year 1992,



as such, respondent No.1-workman is entitled for grant of 50% back wages from the date of demand notice till the date of passing of the award i.e. 10.05.1995.

6. On the other hand, learned counsel appearing on behalf of respondent No.1-workman submits that respondent No.1-workman had filed the first writ petition pursuing his claim in a *bona fide* manner, as such, respondent No.1-workman has rightly been held entitled for grant of 50% back wages from the date of filing of the writ petition i.e. CWP-9567-1988 till the date of passing of the award dated 10.05.1995.

7. We have heard the learned counsel appearing on behalf of the parties at length and have perused the record with their able assistance.

8. In regard to only contention raised by the learned counsel appearing on behalf of the appellant-management that respondent No.1-workman is entitled for grant of 50% back wages from the date of filing of the demand notice till the passing of the award dated 10.05.1995 is concerned, it is well settled law that the back wages are ordinarily granted from the date of termination till the passing of the award.

9. A perusal of the facts of the present case would show that respondent No.1-workman had filed a civil writ petition i.e. CWP-9567-1988 before this Court against his termination of service in the year 1988. Respondent No.1-workman actively pursued his claim by way of filing the abovesaid writ petition on 28.10.1988. Filing writ petition without



raising industrial dispute does not disentitle workman for grant of back wages prior to filing of demand notice.

10. Taking into consideration the abovesaid peculiar facts of the case, this Court finds no illegality in the judgment dated 16.02.2017 passed by the learned Single Judge.

11. Accordingly, the present appeal is dismissed.

12. Pending miscellaneous application(s), if any, also stands disposed of.

(SUVIR SEHGAL)
JUDGE

(DEEPINDER SINGH NALWA)
JUDGE

20. 07.2026

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No