

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

Civil Writ Petition No.14242 of 2011 (O&M)

Date of decision: 24.2.2015

Improvement Trust, Panipat

... Petitioner

Versus

Industrial Tribunal-cum-Labour Court and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Anil Rathee, Advocate,
for the petitioner.

Mr.R.K.Malik, Sr. Advocate with
Mr.Samrat Malik, Advocate,
for the respondents.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J. (Oral)

Having heard Mr.Rathee for the Improvement Trust and Mr.Malik learned Senior Counsel for the workman, this Court has formed a broad blue print of the compensation package which deserves to be given to respondent No.2 for permanent severance from employment and by modification of the award passed by the Presiding Officer, Labour Court, Panipat that an amount of ₹ 2,50,000/- as compensation in lieu of reinstatement would serve the ends of justice.

This Court would apply the quantum of relief granted by the Supreme Court in **BSNL v. Man Singh**, (2012) 1 SCC 558, where ₹ 2 lacs

were awarded each to the workmen for one year of service and the ruling in **Bhavnagar Municipal Corporation etc. v. Jadeja Govubha Chhanubha & another**; Civil Appeal No.10690-10691 of 2014 arising out of SLP © No.36800-36801 of 2012 decided on 3rd December, 2014 in about similar amount. This is the closest judgment in point of time and should serve an appropriate yardstick in the present case.

To settle the matter and to save parties from protracted further litigation, the matter is partially allowed, reinstatement awarded by the Labour Court is set aside as well as 25% back wages which will now be read as a sum total of ₹ 2,50,000/- as permanent compensation in lieu of reinstatement, which when paid, would bring the dispute between the parties to an end. The amount of ₹ 2,50,000 (₹ Two Lacs Fifty Thousands Only) be paid by the petitioner to the respondent within 30 days from the date of receipt of a certified copy of this order by posting a draft to the respondent at the address given in the memo of parties under registered cover, failing which, interest @ 18 percent would accrue till realisation.

The petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

February 24, 2015
Paritosh Kumar