

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

Civil Writ Petition No.18682 of 2011

Date of Decision: April 27, 2015

Nanku Ram

...Petitioner

Versus

Presiding Officer, Industrial Tribunal-cum-Labour Court, Patiala & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr.Shailendra Sharma, Advocate,
for the petitioner.

Mr.L.S.Virk, Addl.A.G.Punjab,
for the State.

Mr.G.S.Bal, Senior Advocate with
Mr.A.D.S.Bal, Advocate,
for respondent Nos.2 & 3.

AMIT RAWAL, J. (Oral)

The challenge in the present writ petition is to the award dated 3.6.2008 (Annexure P-1), whereby the Labour Court has answered the reference in favour of the petitioner-workman by holding that his termination was not in consonance with the provisions of Section 25-F of the Industrial Disputes Act, 1947 (for short “the Act”) and instead of ordering the reinstatement has ordered the compensation of ₹10,000/-.

Mr.Shailendra Sharma, learned counsel appearing on behalf of the petitioner has argued that the petitioner was entitled to reinstatement along with back wages once there is a finding that there is violation of

provisions of Section 25-F of the Act.

Mr.G.S.Bal, learned Senior Counsel appearing for respondent Nos.2 and 3 submits that since the workman had only worked for a period of one year and six months, therefore, in view of the principles culled out by the Full Bench of this Court in **Municipal Council, Dina Nagar, Tehsil & Distt.Gurdaspur Versus Presiding Officer, Labour Court, Gurdaspur and another**, 2014(4) S.C.T. 514, he is entitled to compensation only.

I have heard the learned counsel for the parties and appraised the paper book.

No doubt, the Labour Court has arrived at a conclusion that there was violation of Section 25-F of the Act, but keeping in view the fact that the petitioner has rendered the service of one year and six months, therefore, the awarded compensation of ₹10,000/- is too meager.

The award of the Labour Court is accordingly modified and it is directed that the Management shall pay a compensation of ₹75,000/- to the workman within a period of three months from the date of receipt of certified copy of this order, failing which it shall entail interest @9% per annum.

With the aforementioned observations, the writ petition is disposed of.

April 27, 2015
ramesh

(AMIT RAWAL)
JUDGE