

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Writ Petition No.23443 of 2011
Date of Decision: May 04, 2015

Haryana State Handloom and Handicraft Corporation Ltd., Chandigarh

...Petitioner

Versus

Randhir Singh & 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.Dhiraj Chawla, Advocate,
for the petitioner.

Mr.Sandeep Singal, Advocate,
for respondent No.1.

AMIT RAWAL, J.

The petitioner-Corporation has challenged the award dated 17.12.2010 (Annexure P-1) passed by the Labour Court, whereby the reference has been decided in favour of the workman and he has been held entitled to full back wages w.e.f. 11.11.1994 to 9.1.2001 when the department of the petitioner-Management was closed.

Learned counsel appearing for the petitioner-Corporation submits that various other industrial disputes were raised by the workman and the matter was referred to the Labour Court, Hisar and the Labour Court, Hisar, while noticing the fact that the workman was engaged as Weaver on *piece rated basis*, but since the production activity of the

Corporation is lying closed since 10.11.1994 and the Corporation itself was under winding up process since 2001, instead of ordering reinstatement, awarded compensation which was quantified as ₹1,30,000/- i.e. at the rate of ₹10,000/-for each completed year, whereas in the present case, the Labour Court has observed that the workman shall be entitled to full back wages w.e.f. 11.11.1994 to 9.1.2001 when the department was closed. He further submitted that the aforementioned award had been challenged before this Court vide various writ petitions and this Court vide order dated 28.4.2015 passed in Civil Writ Petition No.18991 of 2012 (Haryana State Handloom & Handicraft Corporation Ltd. Versus Madan Lal and others) upheld the findings rendered by the Labour court and, therefore, the award of the Labour Court in the present case is also liable to be upheld in the same terms.

The aforementioned fact is not disputed by the learned counsel appearing on behalf of the Corporation in view of the fact that I have already upheld the award dated 1.6.2012 passed by the Labour Court, Hisar, whereby consolidated compensation of ₹1,30,000/- has been awarded, which has been quantified as ₹10,000/- for each completed year.

In view of what has been observed above, I modify the award challenged in the present writ petition and held that the workman is entitled to consolidated compensation of ₹1,30,000/-, i.e., at the rate of ₹10,000/- for each completed year of service.

The writ petition is accordingly disposed of.

May 04, 2015
ramesh

(AMIT RAWAL)
JUDGE