

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

CWP No.18549 of 2014
Date of decision : 14.05.2015

Bal Krishan

...Petitioner

Versus

Presiding Officer and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

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

Present: Mr. Mohit Garg, Advocate
for the petitioner.

Mr. V. Ramswaroop, Addl. A.G. Punjab.

AMIT RAWAL, J. (Oral)

Challenge in the present writ petition is to the award dated 28.05.2013 (Annexure P-1), whereby reference has been decided in favour of respondent but instead of ordering reinstatement and backwages, compensation of ₹10,000/- has been paid.

Mr. Mohit Garg, learned counsel appearing on behalf of petitioner submits that petitioner has rendered services of one year and there is categorical finding that there is violation of provision of Section

25-F of the Industrial Disputes Act 1947 and, therefore, the Labour Court ought not to have awarded the compensation.

Mr. V. Ramswaroop, learned counsel appearing on behalf of State submits that as per the principles culled out by Full Bench of this Court in **Municipal Council, Diva Nagar, Gurdaspur Vs. Preciding Officer, Labour Court and Anr. 2014 (4) SCT 514** since, the petitioner had rendered services of one year, the award of the Labour Court is fair, legal and justified in awarding the compensation of ₹10000/-.

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

It is a matter of record that workman has rendered services of one year and the services were allegedly terminated in 1991. Due to some inadvertence, he served notice by giving wrong particulars of the management which was, later on, withdrawn in the year 2001 and thereafter, served a fresh demand notice in March 2001.

Be that as it may. The fact remains that workman has rendered services of one year it would not be in fitness of thing to order reinstatement in view of the principles culled out by the Full Bench of this Court. The compensation of ₹10000/- is too meagre and less and I propose to be enhance the same to a sum of ₹1,00,000/- as the petitioner was employed as Electrician in the office of Director, Rural Development and Panchayat, Punjab.

Accordingly, the award of the Labour Court is modified and instead of compensation of ₹10,000/-, it shall be read as compensation of ₹1,00,000/-.

Management is directed to pay ₹1,00,000/- within a period of two months from the date of receipt of certified copy of this order, failing which it shall entail interest @ 12% p.a.

Accordingly, the present writ petition is disposed of.

14.05.2015

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**(AMIT RAWAL)
JUDGE**