

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-4820-2013

Date of Decision: 29.06.2015

Gurmit Singh Randhawa

... Petitioner

Versus

Presiding Officer, Industrial Tribunal, Jalandhar and another

... Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL.

Present: Mr. Raj Kaushik, Advocate,
for the petitioner.

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 ?

AMIT RAWAL, J. (ORAL)

Challenge in the present writ petition is to the award dated 29.05.2012 (Annexure P-4), whereby the services of the petitioner has been illegally terminated and instead of ordering reinstatement along with consequential relief and back wages, an amount of compensation of ₹3050/- is awarded.

Notice of motion was issued on 14.03.2013 and as per office report, service is complete but no one has put in appearance on behalf of Management-respondent.

Mr. Raj Kaushik, learned counsel appearing on behalf of the petitioner submits that the petitioner was appointed as Driver on 23.08.2003 by the Management-respondent and services of the petitioner were illegally terminated on 28.02.2005 without invoking the provision of Section 25-F of

the Industrial Disputes Act. He further submits that before the Labour Court, umpteen number of documentary evidence had been placed on record to prove that the respondent had illegally terminated the services of the petitioner.

There is no representation on behalf of the respondents.

I have heard the learned counsel for the petitioner.

Since the petitioner had only rendered the services for 1 ½ years, I do not deem it appropriate to order for reinstatement despite the fact that there is finding of the Labour Court that services of the petitioner had been illegally terminated.

Since the petitioner had rendered services for 1 ½ years, I deem it appropriate to enhance the amount of compensation from ₹3050/- to ₹40,000/- as lump sum.

The award of the Labour Court is accordingly modified and the petitioner is held entitled to the compensation of ₹40,000/- as lump sum.

The respondents are directed to pay the amount of compensation 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.

With the above modification, the present writ petition is disposed of.

June 29, 2015
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(AMIT RAWAL)
JUDGE