

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

204

**CWP-19887-2011 (O&M)
Date of decision: 17.08.2016**

Archana Dass

....Petitioner

Versus

Presiding Officer, Industrial Tribunal and another

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr.Pankaj Jain, Advocate for the petitioner.

P.B. Bajanthri, J. (Oral)

In the instant writ petition, the petitioner has questioned the Award dated 16.12.2009. The petitioner-workman was appointed as a Helper on 21.08.1995 on monthly salary of Rs.1902/-. Her services had been terminated on 10.01.2000 without complying payment of retrenchment compensation and notice of pay. She raised Industrial Dispute. On 16.12.2009, Labour Court held that services of the petitioner was wrongly terminated but she is not entitled for reinstatement of her services and she is entitled for compensation of Rs.50,000/-. Learned counsel for the petitioner submitted that petitioner has rendered more than 5 years of service. Labour Curt has awarded compensation of Rs. 50,000/- which is meager having regard to the length of service rendered by her in the 2nd respondent Company.

2. Matter called twice but none appears on behalf of the respondents. On 14.02.2013 this Court was pleased to order “Now to come up for ex parte arguments”. Thereafter, also matter was listed on number of occasions. There is no representation on behalf of 2nd respondent.

3. Only question for consideration is whether the petitioner is entitled for enhancement of compensation in view of the case titled as ***BSNL versus Man Singh*** reported in 2012(1) SCC 558. In the present case, petitioner has rendered more than 5 years of service. Therefore, compensation of Rs.50,000/- awarded by the Labour Court is enhanced to Rs.3,50,000/-. The 2nd respondent is directed to pay the above compensation within a period of 6 months from today failing which the petitioner is entitled to interest @ 9 percent per annum.

17.08.2016

pooja saini

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No