

**In the High Court of Punjab and Haryana at Chandigarh**

**Civil Writ Petition No. 22928 of 2011  
Date of Decision: 05.1.2016.**

Dayanand

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE SABINA**

Present: Mr. Lajpat Sharma, Advocate for  
Ms. Garima Sharma, Advocate  
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

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**SABINA, J.**

Petitioner has filed this petition under Article 226 of Constitution of India challenging the award dated 29.10.2010 (Annexure P-1).

Learned counsel for the petitioner has submitted that the Industrial Tribunal-cum-Labour Court had come to the conclusion that the petitioner had worked with the respondents from June 1984 to 30.4.2001. However, the Industrial Tribunal-cum-Labour Court erred in awarding compensation to the tune of ₹ 70,000/- in lieu of reinstatement. Learned counsel has further submitted that the amount of compensation awarded by the Industrial Tribunal-cum-Labour Court was liable to be enhanced.

Learned State counsel, on the other hand, has opposed the petition and has submitted that sufficient compensation has been granted by the Industrial Tribunal-cum-Labour Court.

Case of the petitioner was that he had worked with the

respondent-management as Beldar-cum-Mali from June 1984 to 30.4.2001 and his services had been terminated on 1.5.2001. Petitioner raised an industrial dispute. The Labour Court vide impugned award dated 29.10.2010 (Annexure P-1) held that the petitioner had worked with the respondent-management from June 1984 to 30.4.2001. The Industrial Tribunal-cum-Labour Court further held that the services of the petitioner had been terminated in violation of provisions of Section 25-F and 25-G of the Industrial Disputes Act, 1947. The Labour Court awarded compensation to the tune of ₹ 70,000/- to the petitioner in lieu of reinstatement. Since the petitioner had worked with the respondent-management for a number of years, the amount of compensation granted by the Industrial Tribunal-cum-Labour Court appears to be on a lower side and the same deserves to be enhanced.

Accordingly, the award passed by the Industrial Tribunal-cum-Labour Court is modified to the extent that the amount of compensation granted to the petitioner to the tune of ₹ 70,000/- is enhanced to ₹ 3,00,000/-. The respondent-management is directed to pay the above said amount to the petitioner within a period of three months from the date of receipt of certified copy of the order, failing which petitioner would be entitled to receive the said amount along with interest at the rate of 9% per annum.

Petition stands disposed of accordingly.

**(SABINA)  
JUDGE**

**January 05, 2016**  
**Gurpreet**