

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

CWP No. 24987 of 2012 (O&M)

Date of decision: 04.07.2016

Gurjit Singh

....Petitioner

Versus

Industrial Tribunal, Patiala and another

.... Respondents

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

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

Present: Mr. T.S. Sidhu, Advocate with
Mr. Vikas Singh, Advocate for the petitioner.

Mr. Rajdeep Singh Cheema, Advocate for respondent No.2.

P.B. Bajanthri, J.(Oral)

The petitioner has questioned the order dated 03.04.2012 of the Industrial Tribunal, Patiala to the extend that only compensation of Rs.15,000/- has been awarded instead of reinstatement with back wages.

The petitioner is stated to have worked as a daily wager for the period from 01.05.1995 to 05.12.1999 and his services were terminated on 06.12.1999.

Feeling aggrieved by the order of termination, petitioner raised Industrial Dispute by serving demand notice dated 18.04.2000. On failure of cancellation proceedings, the dispute was referred to Labour Court,

Patiala vide communication dated 02.02.2001. Thereafter, on 03.04.2012 Industrial Tribunal, Patiala after examining the various materials on record held that the petitioner is entitled to compensation of Rs.15,000/-. Further he is entitled to interest @ 6% per annum from the date of award till realization.

Learned counsel for the petitioner submitted that the petitioner is entitled to reinstatement with back wages. The same was opposed by learned counsel for the respondent contending that petitioner has served as a daily wager for 4½ years only. His services were terminated on 06.12.1999. At this juncture, it is not appropriate to direct for his reinstatement and there is no infirmity in the Award. That apart appellant is also not entitled for enhanced compensation.

Heard learned counsel for the parties.

Petitioner has served as a daily wager for 4½ years therefore, he is entitle only for compensation. The compensation amount awarded by the Industrial Tribunal of Rs.15,000/- is unreasonable. The award dated 03.04.2012 required modification to the extent from Rs. 15,000/- to Rs.2 lakhs. The respondents are directed to pay enhance compensation of Rs. 2 lacs within a period of 4 months from today. If the amount is not released within 4 months, the petitioner is entitled to interest @ 6% per annum on the above compensation amount.

04.07.2016

pooja saini

**(P.B.BAJANTHRI)
JUDGE**