

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 6888 of 2012 (O&M)

Date of decision:-08.08.2016

State of Punjab and another

.....Petitioners

Versus

Presiding Officer, Labour Court-cum-Industrial Tribunal, Bathinda and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Neeraj Yadav, AAG, Punjab.

Mr. Vikas Singh, Advocate,
respondent No.2.

P.B. BAJANTHRI, J. (ORAL)

The petitioner-State of Punjab has questioned the award dated 21.11.2011 of the Industrial Tribunal, Bathinda. Respondent No.2 was appointed as daily wager on 01.12.1986 in the Department of Food and Supplies Controller and he worked up to 31.03.1988 and his services were dispensed. Industrial dispute was raised. Industrial Tribunal, Bathinda on 21.11.2011 allowed the claim of the workman and directed his reinstatement with 50 % back wages.

Heard learned counsel for the parties and perused the record.

It is undisputed that the workman was appointed in the year 1986 and his services were dispensed in the year 1988. He was appointed on daily wages. At this juncture it is not appropriate for reinstatement and back wages. The workman is entitled for compensation. The Supreme Court in the case of **BSNL Vs. Man Singh** held that workman can be compensated by ordering compensation. The respondents are directed to pay a compensation

of ₹ 1 lacs within a period of 03 months. Accordingly, award dated 21.11.2011 passed by the Industrial Tribunal, Bathinda is set aside.

Writ petition is disposed of accordingly.

(P.B. BAJANTHRI)
JUDGE

08.08.2016

PA

Whether speaking/reasoned Yes/No

Whether reportable Yes/No