

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.2996 of 2014
Date of Decision:-23.12.2016.

Jaswinder Singh

.....Petitioner

Versus

Presiding Officer, Industrial Tribunal, Bathinda and others

.....Respondents

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

Present: Mr. Ashish Grover, Advocate for the petitioner.

Mr. S.S. Behl, Advocate for the respondents.

P.B. BAJANTHRI, J. (Oral)

1.) In the instant writ petition, the petitioner has assailed the award passed by the Labour Court dated 2.5.2013.

2.) The petitioner was appointed as a daily wager with the respondent on 01.04.1999. Thereafter, his services were terminated on 30.6.2002. Thus, he raised an industrial dispute. Labour Court disposed of the reference on 2.5.2013 while declining to grant any relief.

3.) Learned counsel for the petitioner submitted that the petitioner's services have been terminated without notice and inquiry. In support of the same, he relied on evidence of MW-1 vide Annexure P-6. Therefore, the petitioner is entitled for compensation as awarded in CWP No.3604 of 2014

(Avtar Singh Vs. Presiding Officer, Industrial Tribunal, Bathinda and

others) disposed of on 25.7.2016. Even in that case, the award was passed

on 2.5.2013.

4.) On the other hand, learned counsel for the respondents submitted that at the time of terminating the services of the petitioner, a compensation amounting to ₹ 3,460/- has been given. Thus, the petitioner has not made out a case so as to seek higher compensation and no interference is called for in respect of the award passed by the Labour Court dated 2.5.2013.

5.) Heard learned counsel for the parties.

6.) Admittedly, the petitioner has worked from 1.4.1999 to 30.6.2002 and his services have been terminated without notice or inquiry. Insofar as payment of compensation of ₹ 3,460/- is taken into consideration that there is a compliance of Industrial Disputes Act, 1947 but still compensation of ₹ 3,460/- is too meager. Therefore, in terms of the decision passed by the Supreme Court in **Bharat Sanchar Nigam Limited v. Man Singh, (2012) 1 SCC 558**, the petitioner is entitled to compensation of ₹ 50,000/-. The same shall be paid by the respondents-Board within a period of four months from today failing which the petitioner is entitled to interest @ 6 % per annum from today.

7.) Petition stands disposed of.

(P.B. BAJANTHRI)
JUDGE

December 23, 2016.

sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.