

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

LPA No. 612 of 2016

Date of Decision : 26.08.2016

Nikka Singh

....Appellant

Versus

The Presiding Officer, Industrial Tribunal,
Patiala and others

....Respondents

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE DR.SHEKHER DHAWAN**

....

Present: Mr. Raj Kaushik, Advocate
for the appellant.

.....

MAHESH GROVER, J.

This appeal is directed against the judgment of the
learned Single Judge dated 15.01.2016.

While answering the reference claimed by the
appellant-workman questioning the termination of his services on
account of violation of provisions of Industrial Disputes Act, the
Labour Court concluded in his favour but instead of ordering
reinstatement granted compensation of Rs.15,000/- noticing the
fact that he has barely served for 2 years and 8 months on
temporary/ad-hoc basis. The learned Single Judge modified the
award only in so far as the compensation is concerned to enhance
it to Rs.1,30,000/- which is now the cause of grievance of the
appellant.

Even though the appellant claims reinstatement, we are unable to agree to the prayer considering the period of service rendered by him and the termination which took place in the year 2005. After such an inordinate delay of more than 11 years reinstatement is not a feasibility. We also notice that compensation of Rs.1,30,000/- has been awarded to the appellant which in the given set of circumstances is just and proper. We, however, feel that the interest should have been granted to the appellant from the date when the Tribunal passed the order in favour of the appellant.

Consequently, this portion of the judgment of the learned Single Judge is modified and it is hereby ordered that on the amount of compensation of Rs.1,30,000/- the appellant shall be entitled to interest @ 9% per annum from the date when the Tribunal answered the reference till the date of its realisation.

Appeal stands disposed of accordingly.

(MAHESH GROVER)
JUDGE

26.08.2016
dss

(SHEKHER DHAWAN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No