

In the High Court of Punjab and Haryana at Chandigarh

CWP No. 16304 of 2012 (O&M)
Date of Decision: September 27, 2017

Satish Chauhan

... Petitioner

Versus

M/s High Fasion Clothing Company and another

... Respondents

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

Present: Mr. G.S. Bal, Sr. Advocate with
Mr. A.D.S. Bal, Advocate,
for the petitioner.

Mr. Rakesh Dhiman, Advocate,
for respondent No.1.

P.B. Bajanthri, J. (Oral)

1. In the instant writ petition, petitioner has challenged the validity of award passed by Industrial Tribunal-cum-Labour Court-II, Gurgaon dated 22.02.2012 (Annexure P/5).

2. The petitioner is stated to have been appointed as Pattern Master on a monthly salary of Rs.12,250/- on 01.04.2000. His services were terminated on 20.10.2003. The Labour Court passed award in favour of the petitioner to the extent of awarding compensation of Rs.20,000/-. Aggrieved by the award passed by the Labour Court, petitioner presented this writ petition.

3. Learned counsel for the petitioner submitted that petitioner had rendered 2-1/2 years of service. Awarding of compensation to the extent of Rs. 20,000/- is too meager with reference to salary that was drawing by him

read with 2-1/2 years of service. Thus, Labour Court erred in awarding Rs. 20,000/- as compensation.

4. Per contra, learned counsel for the respondents submitted that petitioner has rendered very short service of 2-1/2 years, therefore, he is not entitled for compensation more than Rs.20,000/-. Hence, no interference is called for.

5. I have heard learned counsel for the parties.

6. Undisputed facts are that petitioner had rendered 2-1/2 years of service and he had worked with the respondents as Pattern Master on monthly salary. In view of decision of Supreme Court in the matter of **B.S.N.L. vs. Man Singh** reported in **(2012) 1 SCC 558**, petitioner is entitled for enhanced compensation. Therefore, award passed by the Labour Court relating to compensation of Rs. 20,000/- is modified to the extent that petitioner is entitled for a sum of Rs. 2,00,000/-. The same shall be paid to the petitioner-workman by the respondent-management within a period of 4 months from today. Failing which, petitioner is entitled to interest @ 6 per cent per annum.

7. With the above observations, writ petition stands disposed of.

September 27, 2017
vkd

[P.B. Bajanthri]
Judge

Whether reasoned / speaking : Yes

Whether reportable : No