

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-11572-2014

Date of decision: 13.12.2017

M/s. SRS Ltd

...Petitioner

V/s.

**Presiding Officer, Industrial Tribunal cum Labour Court,
Circle-I, Faridabad and another**

...Respondents

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

Present: Mr. Sandeep Vermani, Advocate for the petitioner.

Mr. D.S. Adlakha, Advocate for respondent No. 2.

P.B. BAJANTHRI, J. (Oral)

In the instant petition, the petitioner has challenged the award passed by the labour Court dated 22.08.2013 (Anneuxre P-1) by which respondent-workman was directed to be taken back to duty with continuity of service along with full back wages.

During pendency of this petition, respondent-workman was taken back to the duty and further he has been paid a sum of Rs.1,50,000/- on 05.10.2015. The labour Court has erred in granting full back wages to the respondent-workman without appraising whether respondent has made out case for full back wages. Thus the order passed by labour Court is modified to the extent of 50% back wages. The 50% back wages shall be calculated and a sum of Rs.1,50,000/- shall be adjusted in the back wages which was paid on 05.10.2015.

The above exercise shall be completed by the petitioner within a period of three months from today failing which respondent-workman would be entitled to interest @ 6% p.a. on the difference of amount.

With these observations, Civil Writ Petition is disposed of.

13.12.2017

Divyanshi

(P.B.BAJANTHRI)
JUDGE

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