

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

Date of decision: 02.02.2017

CWP No.15045 of 2014 (O&M)

Haryana Agro Industries Corporation Limited & another ...Petitioners

Vs.

Siya Ram & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: For the Management – Corporation:

Mr. Pankaj Gupta, Advocate,
Mr. Padamkant Dwivedi, Advocate

For the workmen:

Mr. Vivek Khatri, Advocate,
Mr. R.N.Lohan, Advocate

RAJIV NARAIN RAINA, J. (ORAL)

This order will dispose of abovementioned writ petition as well as other connected writ petitions* tabulated at the foot of the order (totalling 27 writ petitions), as common questions of law and fact are involved in them, which can conveniently be decided by a common order. Out of 27 writ petitions, 8 writ petitions have been filed by the workmen, while the others have been filed by the Management - Corporation.

The dispute raised in these petitions, pro and contra, against awards of labour courts stands settled by the Division Bench judgment of this Court handed down in LPA No.187 of 2014 titled 'Haryana Agro-Industries Corporation Ltd. & another Vs. Surender Singh & another' decided on 20.02.2014 and the Corporation can find no way to distinguish the orders in *Surender Singh's* case from this bunch since the employees

whose cases were considered in the letters patent appeal and eight writ petitions, were ordered by the learned Single Bench to be heard by the Appellate Bench, fully cover these cases. The issue involved is no longer *res integra* being *stare decisis*.

Accordingly, all these petitions are disposed of in terms of *Surender Singh's* case.

However, it is clarified that similarly, the workmen would be reinstated to service, but without back-wages. In cases, where back wages have been granted by the Labour Court i.e. CWP No.27374 of 2016 & 27381 of 2016, the same will stand. The reinstatement would bring in its wake continuity of service. However, as far as the operative directions as to payment of compensation of ₹50,000/- in each case is concerned, that relief will operate in the manner directed by the Division Bench but the time allowed for reinstatement will run from two months from the date of receipt of certified copy of this order.

02.02.2017
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*

Sr. No.	Case No.	Parties Name
1.	CWP No.17432 of 2014	Pawan Kumar Vs. Presiding Officer, Labour Court, Hisar & others
2.	CWP No.17470 of 2014	Satyawan Vs. Presiding Officer, Labour Court, Hisar & others
3.	CWP No.17471 of 2014	Rajroop Vs. Presiding Officer, Labour Court, Hisar & others
4.	CWP No.19676 of 2014	Haryana Agro Industries Corporation Limited & another Vs. Dalbir Singh & another
5.	CWP No.19683 of 2014	Haryana Agro Industries Corporation Limited & another Vs. Bijender @ Lilu Ram & another

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6.	CWP No.19684 of 2014	Haryana Agro Industries Corporation Limited & another Vs. Phool Kumar & another
7.	CWP No.19685 of 2014	Haryana Agro Industries Corporation Limited & another Vs. Rajbir & another
8.	CWP No.19686 of 2014	Haryana Agro Industries Corporation Limited & another Vs. Basau Ram & another
9.	CWP No.19688 of 2014	Haryana Agro Industries Corporation Limited & another Vs. Singara Singh & another
10.	CWP No.5563 of 2015	Ajit Singh Vs. Presiding Officer, Industrial Tribunal -cum- Labour Court, Hisar & others
11.	CWP No.6294 of 2015	Haryana Agro Industries Corporation Limited & another Vs. Devender @ Pappu & another
12.	CWP No.6296 of 2015	Haryana Agro Industries Corporation Limited & another Vs. Suraj Bhan & another
13.	CWP No.6299 of 2015	Haryana Agro Industries Corporation Limited & another Vs. Sunil Kumar & another
14.	CWP No.6300 of 2015	Haryana Agro Industries Corporation Limited & another Vs. Dilbagh Singh & another
15.	CWP No.6303 of 2015	Haryana Agro Industries Corporation Limited & another Vs. Subhash & another
16.	CWP No.6349 of 2015	Haryana Agro Industries Corporation Limited & another Vs. Rohtash Sharma & another
17.	CWP No.6355 of 2015	Haryana Agro Industries Corporation Limited & another Vs. Balwan Singh & another
18.	CWP No.5541 of 2016	The Managing Director, Haryana Agro Industries Corporation Limited & another Vs. Vinod Kumar & another
19.	CWP No.5542 of 2016	The Managing Director, Haryana Agro Industries Corporation Limited & another Vs. Sandeep Kumar & another
20.	CWP No.5571 of 2016	The Managing Director, Haryana Agro Industries Corporation Limited & another Vs. Narsi Ram & another
21.	CWP No.5601 of 2016	The Managing Director, Haryana Agro Industries Corporation Limited & another Vs. Krishan Dev & another
22.	CWP No.16857 of 2016	Vinod Kumar Vs. Presiding Officer, Industrial Tribunal -cum- Labour Court, Hisar & others
23.	CWP No.16859 of 2016	Narsi Ram Vs. Presiding Officer, Industrial Tribunal -cum- Labour Court, Hisar & others
24.	CWP No.16861 of 2016	Sandeep Kumar Vs. Presiding Officer, Industrial Tribunal -cum- Labour Court, Hisar & others
25.	CWP No.16862 of 2016	Krishan Dev Vs. Presiding Officer, Industrial Tribunal -cum- Labour Court,

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		Hisar & others
26.	CWP No.27374 of 2016	District Manager, Haryana Agro Industries Corporation, Karnal Vs. Veer Bhan & others
27.	CWP No.27381 of 2016	District Manager, Haryana Agro Industries Corporation, Karnal Vs. Subash & others

[RAJIV NARAIN RAINA]
JUDGE