

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-14757-2016 (O&M)

Date of Decision:-19.12.2017.

Satnam Singh

.....Petitioner

Versus

Presiding Officer, Industrial Tribunal, Patiala and others

.....Respondents

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

Present: Mr. Sandeep Kumar, Advocate for
Mr. Neeraj Sharma, Advocate for the petitioner.

Mr. B.S. Sewak, Additional A.G. Punjab.

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, petitioner has challenged the award passed by the Labour Court dated 23.02.2015 (Annexure P-2) in respect of extending compensation of ₹ 15,000/- with reference to 8 months of service rendered by him in the year 1996.

Learned counsel for the petitioner submitted that petitioner had raised demand notice in the year 1996 itself and the reference was decided on 02.05.2008 to the extent of withdrawing and to file fresh demand notice on the same cause of action. Thus, demand notice was issued subsequently on 21.2.2012. The Labour Court while appreciating the fact that petitioner has rendered service directed the respondent to pay compensation of ₹ 15,000/-. Having regard to the fact that petitioner has rendered service of

8 months, compensation of ₹ 15,000/- is too meager. Hence, the present petition.

Per contra learned counsel for the respondent submitted that there is inordinate delay in respect of issuance of second demand notice on 21.2.2012. Even though with reference to Reference No.726 of 1998 which was withdrawn on 02.05.2008 to the extent of reserving the right to file the fresh demand notice on the same cause of action. Petitioner slept over the matter for 4 years from 2008 to 2012. Therefore, he is not entitled to further relief in the present petition.

Heard learned counsel for the parties.

Crux of the matter in the present petition is whether petitioner is entitled to enhanced compensation or not. Having regard to the conduct of the petitioner that he had slept over the matter from 2008 to 2012, therefore, he is not entitled to enhanced compensation. That apart for 8 months of service ₹ 15,000/- compensation is reasonable. Thus, there is no infirmity in the award passed by the Labour Court dated 23.02.2015 (Annexure P-2).

Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

December 19, 2017.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.