

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Date of Decision: 18.05.2017

1. CWP No.2718 of 2014(O&M)

Sunil Kumar

... Petitioner

Versus

The Presiding Officer, Industrial Tribunal-cum
Labour Court-II, Gurgaon & anr.

... Respondents

2. CWP No.2748 of 2014(O&M)

Harmod Kumar

... Petitioner

Versus

The Presiding Officer, Industrial Tribunal-cum
Labour Court-II, Gurgaon & anr.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. VD Sharma, Advocate,
for the petitioner.

Mr. Ravi Kant Sharma, Advocate,
for respondent No.2.

RAJIV NARAIN RAINA, J.(Oral)

This order disposes of the tow writ petitions bearing No.2718 and 2748 of 2104 as common questions of law and fact are involved in them which can conveniently be decided by a common order.

An amicable settlement has been arrived at in Court during the hearing with a spirit of give and take by both the sides. Mr. Ravi Kant Sharma on instructions says that his client is prepared to take the petitioners (in both the petitions) in service as Security Guard. Mr. Sharma insisted on compensation to be paid @25% of the back wages for the total period of 1

year and 8 months of service.

Mr. VD Sharma has instructions from his clients that they would be prepared for settlement to 50%. The last drawn wages are ₹36,400/-.

Looking to the difference of the amounts involved, if compensation will be granted @ 25%, it will come to ₹ 18,200/- and 50% back wages would come to ₹ 36,400/-. The difference is marginal and represents the amount which should not pinch the management too much. Bargaining would have taken place before the Mediation and Conciliated Centre annexed to this Court but mediation and conciliation has been done in Court with good offices of both the learned counsel, who are very fair to each other to their clients and to the Court. The impugned awards are set aside in terms of the settlement.

The petitioners in both the cases are ordered to be reinstated. The petitioners to report to duty on _____. They will be assigned place of posting as possible to the last place of posting at Gurgaon. They would be paid wages and parity with other safeguards after they join duty. They would be paid an amount of ₹36,400/- within 10 days of their joining.

Accordingly, the files are closed and consigned to the record room.

18.05.2017
monika

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No