

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.3963 of 2014 (O&M)
Date of Decision:-28.08.2017.

Shiv Dayal

.....Petitioner

Versus

Industrial Tribunal, Patiala and another

.....Respondents

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

Present: Mr. R.K. Mattoo, Advocate for the petitioner.

Mr. S.S. Behl, Advocate for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

Petitioner has challenged the award dated 14.11.2013
(Annexure P-3).

Petitioner is stated to have been appointed as a Daily Wager on 4.5.1999 and worked up to 14.8.2001. Petitioner raised a demand notice on 20.1.2006 stating that he has been terminated illegally w.e.f. 14.8.2001. Consequently, he raised an industrial dispute. Labour Court proceeded to pass award that petitioner is entitled to compensation of ₹ 20,000/-. Having regard to the fact that the petitioner raised demand notice only on 20.1.2006 with reference to the date of termination i.e. 14.8.2001 and the fact that he is out of service from 14.8.2001, question of reinstatement with continuity of service do not arise. At the best, petitioner is entitled to enhancement of compensation from ₹ Rs.20,000/-. Having regard to the delay in raising

demand notice, petitioner is entitled to compensation of ₹ 75,000/- instead of ₹ 20,000/-. To that extent Labour Court award dated 14.11.2013 (Annexure P-3) is modified.

Petition stands disposed of.

(P.B. BAJANTHRI)
JUDGE

August 28, 2017.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.