

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

**LPA No. 147 of 2015
Date of decision : 16.1.2017**

Rajinder Singh **.....Appellant**

v.

D.F.O. Haryana Forest Development Corporation and another

.....Respondent

**CORAM : HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE SHEKHER DHAWAN**

Present : Mr. Chand Ram Olla, Advocate, for the appellant

Mr. Sandeep Moudgil, Addl. AG, Haryana

Mahesh Grover, J. (Oral) :

This appeal is directed against the order dated 1.12.2014 passed by the learned Single Judge.

The appellant, who challenged before the Labour Court termination of his services on the ground of violation of Section 25F of the Industrial Disputes Act, 1947, pleaded that he was working from January 1998 till 2008, which fact was controverted by the respondents, who contended that in the initial period the appellant was never employed continuously and worked on daily wages intermittently only from January 2006 to June 2008 and that he never worked for 240 days continuously. The Labour Court accepted the plea of the appellant to award compensation of ₹ 80,000/- which was enhanced to ₹ 2 lakhs by the learned Single Judge and is now the cause of grievance of appellant, who prays for reinstatement in service instead, by considering the

period of employment/engagement.

The prayer is opposed by the learned counsel for the respondents, who contend that the compensation in the given set of circumstances is just and fair considering the intermittent period of employment.

After hearing learned counsel for the parties, we are of the opinion that there is no merit in the appeal. The ratio of **BSNL v. Bhuru Mal, 2014 (3) SCT 49**, has been correctly applied, noticing all the relevant factors i.e. nature of employment, length of service etc. We are in agreement that the amount of compensation has been rightly awarded but also feel that the amount awarded should have carried some interest.

Therefore, the appeal is dismissed, however, with modification that the amount of ₹ 2 lakhs shall carry interest @ 6% per annum from the date of passing of the award till its realization.

(MAHESH GROVER)
JUDGE

(SHEKHER DHAWAN)
JUDGE

16.1.2017
Ashwani

Speaking/Reasoned	Yes/No
Reportable	Yes/No