

Sr.No.219

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

LPA-1673-2015(O&M)

Date of Decision: 01.12.2017

Ashok Kumar

.....Appellant

VS.

State of Haryana and anr. ...Respondents

**CORAM HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI**

Present:- Ms. Harman Preet Kaur, Advocate for the appellant.
Ms. Kirti Singh, DAG, Haryana.

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MAHESH GROVER, J (ORAL)

This appeal is directed against the judgment dated 21.07.2015
of the learned Single Judge.

The respondent – workman worked as a part time Water Man
on daily wages from 1998 to 2003. His services were terminated leading to
an industrial dispute and the reference accepted by the Labour Court
granting reinstatement with continuity of service with 50% back wages
which was challenged by the State in writ proceedings resulting in an
alternate relief of compensation of 4.5 lacs. Learned Single Judge relied
upon the authority in **B.S.N.L. V. Bhurumal, 2014(3) SCT 49** to observe
that reinstatement is not an automatic consequence of a wrongly termination
and found that the appellant was working as a part time Water Man on daily
wages negated the order of reinstatement.

We have heard the learned counsel for the parties and are of the
opinion that there is no illegality in the findings recorded by the learned

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Single judge. The observations of the Hon'ble Single Judge in **BSNL v. Bhurumal's case (supra)** as also in **Civil Appeal No.19857 and 19858 of 2017 titled District Development Officer and another v. Satish Kantilal Amrelia, decided on 28.11.2017** are indicative of the correctness of the approach of the learned Single Judge.

We,therefore, decline interference and the instant appeal is, accordingly, dismissed.

(MAHESH GROVER)
JUDGE

(RAJ SHEKHAR ATTRI)
JUDGE

01.12.2017
mamta

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No