

LPA no.951 of 2016 (O&M)
and other connected cases **1**

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

1. LPA no.951 of 2016 (O&M)

Rajesh Kumar

....Appellant(s)

Versus

The Director, Local Government, Punjab and others

...Respondent(s)

2. LPA no.952 of 2016 (O&M)

Pawan Kumar

....Appellant(s)

Versus

The Director, Local Government, Punjab and others

...Respondent(s)

3. LPA no.953 of 2016 (O&M)

Shiv Kumar

....Appellant(s)

Versus

The Director, Local Government, Punjab and others

...Respondent(s)

4. LPA no.977 of 2016 (O&M)

Ashok Kumar

....Appellant(s)

Versus

The Director, Local Government, Punjab and others

...Respondent(s)

Date of Decision : 21.02.2017

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

Present : Mr.H.K.Brinda, Advocate for the appellants
Mr. H.K.Aurora, Advocate for the respondents

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MAHESH GROVER, J.(ORAL)

CM no. 1954-LPA of 2016 in LPA no. 951 of 2016, CM no.1955-LPA of 2016 in LPA no. 952 of 2016, CM no. 1956-LPA of 2016 in LPA no. 953 of 2016 and CM no.2021-LPA of 2016 in LPA no. 977 of 2016

After hearing learned counsel for the parties and going through the contents of the applications, delay of 43 days in filing LPA nos. 951 to 953 of 2016 and delay of 46 days in filing LPA no. 977 of 2016 is hereby condoned. Applications stand allowed.

Main cases

This order will dispose of four Letters Patent Appeals bearing nos. 951, 952, 953 and 977 of 2016.

Learned counsel for the appellants while impugning the judgment of the learned Single Judge dated 4.2.2016 contends that the compensation awarded is inadequate considering the fact that the appellants have extended 4 years of service in LPA no. 951 and in LPA 977 of 2016 and 6 years in LPA no. 952 and 953 of 2016 when they were unceremoniously thrown out of service without complying with the provisions of Section 25-F of the Industrial Disputes Act.

Labour Court as also learned Single Judge has accepted this plea but chosen to grant compensation in lieu of reinstatement.

There is no appeal of the respondents against the judgment of the learned Single Judge and its finding regarding non-compliance of Section 25-F and consequential wrongful termination.

On due consideration of the matter, we are of the opinion that the ends of justice would be squarely met if the amount awarded by the

learned Single Judge is accompanied by interest component of 9% per

annum from the date of passing of the order till its realisation.

Learned Single Judge had directed that interest would be payable in case payment is not made within two months but noticing the period of 4 years and 6 years of engagement of the appellants with the respondents, we are of the opinion that this modification in the order would be sufficient to ensure substantial justice to the appellants.

All the aforesaid appeals stand disposed of in above terms.

(Mahesh Grover)
Judge

21.02.2017
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(Shekher Dhawan)
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No