

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Letters Patent Appeal No. 1832 of 2017 (O&M) in
CWP No. 7840 of 2015
Date of decision: 12.12.2017

Jaspal Singh

.. Appellant

v.

Presiding Officer, Industrial Tribunal, Amritsar & another

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Amarjit Singh, Advocate for the appellant.

...

Rajesh Bindal J.

By filing the intra-court appeal, order dated 19.7.2017, passed by the learned Single Judge, has been impugned, whereby award of the Labour Court dated 5.2.2015 was set aside and this court awarded compensation of ₹ 2,00,000/- to the appellant, in lieu of reinstatement.

The facts, which are not in dispute, are that the appellant was appointed as Tubewell Operator on 1.1.1999 and his services were discontinued on 31.10.2001. Demand notice was served by the appellant on 3.1.2006. The matter was referred to the Labour Court. After appreciating the evidence produced on record, the Labour Court did not find any merit in the plea raised by the appellant.

Aggrieved against the award of the Labour Court, the appellant filed writ petition before this Court. The learned Single Judge, finding that the petitioner (appellant herein) had worked with respondent No. 2,

however, considering the facts and circumstances of the case and relying upon the judgment of Hon'ble the Supreme Court in BSNL v. Bhurumal, (2014) 7 SCC 177, awarded compensation of ₹ 2,00,000/-, in lieu of reinstatement.

As the petitioner had worked only for a period of two years and 10 months and further there was a delay of more than 4 years in raising the demand notice, in our view, the relief as granted by the learned Single Judge does not call for interference by this Court.

Accordingly, the appeal is dismissed.

(Rajesh Bindal)
Judge

(Gurvinder Singh Gill)
Judge

12.12.2017
mk

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