

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

LPA No.2305 of 2017 (O&M)

Date of Decision : 06.12.2017

Mohinder Singh

....Appellant

Versus

Executive Engineer, Irrigation Department
and others

....Respondents

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

Present : Mr.Sandeep Goyal, Advocate
for appellant.

MAHESH GROVER, J. (Oral)

CM-5079 & 5080-LPA-2017

Delay of 10 days in filing and 66 days in re-filing the appeal
is condoned.

Applications stand allowed.

LPA No.2305 of 2017 (O&M)

This appeal is against the judgment of the learned Single
Judge dated 15.05.2017.

The appellant as a workman only worked for 285 days and
upon termination claimed a reference whereupon the Labour Court
adjudicated in his favour to order reinstatement with 50 per cent back
wages leading to writ proceedings by the respondents wherein the
learned Single Judge disagreed with the award and awarded a
compensation of Rs.1 lac.

After hearing the learned counsel for the appellant, we are of
the opinion that no interference is warranted. Reinstatement is not an

automatic consequence of a successful reference in view of the judgment rendered in *B.S.N.L. v. Bhurumal*, **2014 AIR(SC) 1188** Thus the learned Single Judge was right in adopting an alternate approach of awarding compensation of Rs.1 lac.

No ground to interfere.

Dismissed.

(MAHESH GROVER)
JUDGE

06.12.2017
dss

(RAJ SHEKHAR ATTRI)
JUDGE

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