

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-19721-2017 (O&M)

Date of Decision:-20.02.2018.

M/s Neel Kanth Rubber Mills

.....Petitioner

Versus

Som Nath and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Puneet Sharma, Advocate for the petitioner.

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, petitioner has challenged the award passed by the Industrial Tribunal dated 14.03.2017 (Annexure P-7).

(2.) Undisputedly, first respondent is stated to have worked for about 3 years, whereas respondent's contention is that he has worked from June, 2005 to 4.8.2010. One of the main contention of the petitioner is that respondent had resigned the job. Thereafter, he has raised the dispute. On the resignation letter, his thumb impression is very much available. Labour Court has not appreciated the original resignation letter.

(3.) Heard learned counsel for the petitioner.

(4.) Main contention of the petitioner is that respondent had resigned the job, consequently, respondent cannot raise dispute relating to illegal termination, whereas, Labour Court has given finding that petitioner-

Management have failed to produce original resignation letter vide para-9.

Thus, an inference has been drawn that there is an illegal termination and so also there is a violation of various provisions of the Industrial Disputes Act, 1947. Even assuming that first respondent has resigned from the job, he is entitled to terminal benefits petitioners have not pointed out what was the terminal benefits extended to respondent-workman. Having rendered more than 3 years of service, award of compensation of ₹ 50,000/- by the Industrial Tribunal is too meager and contrary to Supreme Court decision passed in **Bharat Sanchar Nigam Limited v. Bhurumal (2014) 7 SCC 177.**

Therefore, no interference is called for.

Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

February 20, 2018.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.