

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

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**CWP No.403 of 2015.
Date of Decision: 10.08.2018.**

Sukhdev Singh

....Petitioner.

Versus

Industrial Tribunal, Patiala and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Ravi K. Mattoo, Advocate for the petitioner.

Ms. Bhavna Gupta, Deputy Advocate General, Punjab.

Shekher Dhawan, J.

Present writ petition under Articles 226/227 of the Constitution of India has been filed for quashing part of the award dated 31.03.2014 (Annexure-P3), passed by respondent No.1, whereby the petitioner, herein, has been awarded lump sum compensation of Rs.30,000/- for his illegal termination.

2. Learned counsel for the petitioner contended that he has served the Management from 01.02.1995 to 17.11.1996 after putting in more than 1½ years of service and at that time he was drawing wages to the tune of Rs.2100/- per month, but he has been awarded meager amount of compensation of Rs.30,000/- which is required to be enhanced.

3. Learned counsel representing the respondents-State, while opposing such a prayer of the petitioner, contended that it was not a case of termination of service, but it was a case of abandonment of job on the part

4. Having considered the above facts and the plea taken by learned counsel for the respondents-State that it was a case of abandonment of job on the part of the petitioner, there was no material before the Industrial Tribunal to record such a finding and on the basis of evidence led by the petitioner, the Industrial Tribunal has already returned the finding that it was a case of termination of services and on that basis ordered compensation of Rs.30,000/- which is otherwise on the lower side, keeping in view the length of service of more than 1½ years.

5. Accordingly, the award is modified to the extent that the petitioner shall be entitled to receive total compensation of Rs.50,000/-. The said payment shall be made to the petitioner by the respondents within a period of three months, failing which the petitioner shall be entitled to receive the said payment with interest at the rate of 9% per annum.

Disposed of in the above terms.

(SHEKHER DHAWAN)
JUDGE

10.08.2018
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No