

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

**LPA No.525 of 2018
Date of decision: 10.08.2018**

Deputy Registrar, Central Herd Registration Scheme

... Appellant

Versus

Tek Ram and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. G.S. Bal, Senior Advocate with
Ms. Loveinder Kaur, Advocate and
Ms. Gursimran Kaur, Advocate for the appellant.

KRISHNA MURARI, C.J. (Oral)

Notice of motion.

Mr. Dharamveer Phour, Advocate has put in appearance on behalf of the heirs of respondent No.1, who is alleged to have died.

Let Smt. Sarita widow of Late Sh. Tek Ram (respondent No.1) be impleaded as party respondent in this appeal. Office to carry out the necessary amendment in the array of parties.

Having heard learned counsel for the parties, we are of the considered opinion that the impugned order has been passed by the learned Single Judge on equitable considerations while exercising the extraordinary powers conferred by Article 226 of the Constitution of India by awarding compensation for a sum of Rs.2,50,000/- in terms of the judgment of the Hon'ble Apex Court in the case of **Bharat Sanchar Nigam Limited** v.

Bhurumal, (2014) 7 SCC 177 since the respondent-workman had rendered service for only about 5 years from 1986 to 1991. The order being passed on equitable consideration and particularly the fact that the workman had died during the pendency of the petition, since substantial justice has been done, thus, we are not inclined to interfere with the order passed by the learned Single Judge. Accordingly, the appeal stands dismissed.

However, it is made clear that this order has been passed in peculiar facts and circumstances of the present case and shall not be treated as a precedent.

(Krishna Murari)
Chief Justice

(Arun Palli)
Judge

10.08.2018
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO