

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

Sr. No.114

**LPA No.729 of 2018 (O&M) in
CWP No.1148 of 2013
Date of decision: 16.05.2018**

BCH Electric Limited

....Appellant

versus

Presiding Officer and another

....Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE DEEPAK SIBAL**

* * *

Present: Mr. Adarsh Jain, Advocate,
for the appellant.

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RAJESH BINDAL, J.

Order passed by the learned Single Judge vide which award of the Labour Court had been modified, has been impugned by filing the present intra-court appeal. Since the workman had expired, instead of reinstatement with continuity of service and 50% backwages as awarded by the Labour Court, the learned Single Judge directed for a lump sum compensation of ₹ 4 lakhs.

Though, learned counsel for the appellant argued that there was no relationship of master and servant as the appellant had never employed the workman as Driver with the Company. Undisputed facts are that at present the workman has expired and once he was challaned while driving car of the Company. Though it is claimed that he was employed by the Manager in his personal capacity, but still keeping in view the fact that the workman has already expired, his family will have some succour in case the

aforesaid amount is paid by the appellant once they have admittedly large work force which is more than one thousand.

The present petition is dismissed. Consequently, the application for condonation of delay in filing of the appeal is also dismissed.

(Rajesh Bindal)
Judge

(Deepak Sibal)
Judge

May 16, 2018
Jyoti 1

Whether speaking/reasoned	Yes
Whether reportable	Yes/No