

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH

223

CWP-1928-2015

Date of decision: 02.09.2019

YADVINDER SINGH ALIAS HARWINDER SINGH

...PETITIONER

VS.

PRESIDING OFFICER AND OTHERS

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Ravi Gakhar, Advocate,
for the petitioner.

Mr. T.P.S.Chawla, DAG, Punjab,
for the State.

Mr. Sanjeev Soni, Advocate,
for respondents No. 2 and 3.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is an admitted position in the present writ petition, where challenge is to the Award passed by the Industrial Tribunal, Patiala, dated 28.10.2014 (Annexure P-1), that the petitioner had worked with respondents No. 1 and 2 as Pump Operator/Beldar from 22.11.1987 to 31.07.1995 which comes to almost 7 years. The Industrial Tribunal has proceeded to grant compensation amounting to ₹10,000/- with 6% interest, in case the said amount of compensation is not disbursed within a period of 60 days from the publication of the Award.

Learned counsel for respondents No. 2 and 3 has produced a judgment passed by this Court in CWP No. 627 of 2015 titled as Prabhu

Nath vs. Presiding Officer, Industrial Tribunal, Patiala and others, dated 26.07.2018, where a similarly situated employee was granted compensation to the tune of ₹30,000/- for each year of service with the respondents. Accordingly, the Court had proceeded to grant him the said benefit along with interest @9% per annum, in case the enhanced amount of compensation is not released within a period of two months from the date of receipt of the order.

Counsel for the petitioner submits that the petitioner has suffered litigation because of the illegal act of the respondents which fact stands established as per the findings recorded by the Industrial Tribunal wherein it has been held that the provisions of Section 25-F of the Industrial Disputes Act have not been complied with.

Keeping in view these facts and circumstances in mind, the petitioner, in addition to ₹2,10,000/-, which he would be entitled to for the period of service he has rendered with the respondents, is granted ₹40,000/- as litigation expenses. The total amount be released to the petitioner within a period of two months from today, failing which the said amount shall be paid to the petitioner with 9% interest.

Writ petition stands disposed of accordingly.

Copy of the order be given **dasti** to the counsel for the parties for information and compliance.

September 02, 2019

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No