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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Decision: 12th September, 2019

+ W.P.(C) 7219/2015

LALLAN PRASAD MISHRA @ JANG

BAHADUR MISHRA

..... Petitioner

Through: Mr.J.K. Tiwari, Advocate

versus

M/S JAY KAY DIE & CHEMICALS & ORS

..... Respondents

Through: Mr.Rakhshan Ahmed, Advocate for
R-1(i), (iv) & (v)

Mr.Vishnu Sharma, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

J U D G M E N T (O R A L)

1. The petitioner has challenged the award of the Labour Court whereby compensation of Rs.72,000/- has been awarded to the petitioner in lieu of the reinstatement and back wages. The petitioner is seeking enhancement of the compensation amount.
2. Learned counsel for the petitioner submits that the petitioner worked with the respondents from 01st August, 1992 up to 02nd July, 2019 when he was terminated by respondent No.2.
3. Learned counsel for respondent No.2 submits that the petitioner worked with respondent No.1 up to 1997 and thereafter he worked with respondent No.2.
4. Learned counsel for the petitioner submits that respondent No.1 is owned by the father of respondent No.2 and the plea raised by the

respondent is of no consequences.

5. The petitioner present in Court along with his counsel is suffering from liver failure, kidney failure and tuberculosis and he is unable to even stand. The condition of the petitioner has been seen by this Court.

6. Taking all the relevant factors in consideration, this Court is of the view that the amount awarded by the Labour Court is on a lower side.

7. The writ petition is allowed and the compensation amount awarded by the Labour Court is enhanced from Rs.72,000/- to Rs.5,00,000/- along with interest at the rate of 8% per annum from the date of award i.e. 28th May, 2013.

8. The respondent No.2 has deposited Rs.1,08,150/- with the Registrar General of this Court in terms of order dated 19th August, 2019.

9. The Registrar General is directed to release the said amount to the petitioner within three weeks.

10. Respondent No.2 is directed to pay the balance award amount to the petitioner by transferring the same to his savings bank account by RTGS.

11. Counsel for the petitioner shall furnish the particulars of bank account to counsel for respondent No.2 within two weeks and respondent No.2 shall transfer the balance award amount to the petitioner by RTGS within two weeks thereafter.

12. Copy of this judgment be given *dasti* to counsel for the parties under signatures of the Court Master.

J.R. MIDHA, J.

SEPTEMBER 12, 2019/ds