

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-15258-2014 (O&M)
Date of decision: 08.01.2020

Balwan Singh

....Petitioner

versus

Piccadily Agro Industries Ltd. and another

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Dinesh Ghai, Advocate
for the petitioner.

Mr. Vipul Jindal, Advocate
for the respondents.

GIRISH AGNIHOTRI, J. (Oral)

The present petition has been filed by the petitioner-Balwan Singh *inter alia* with the prayer for modification of the award dated 05.02.2014 (Annexure P-1).

Learned counsel for the petitioner based on the pleadings, contends that vide the impugned award, the demanded relief has not been completely granted to him. The petitioner-Balwan Singh had raised an industrial dispute, which was referred to the Labour Court by the Government. The demand in the demand notice *inter alia* was that the workman was appointed as Surveyor on 25.07.1997, was confirmed on 16.10.1999. It is then contended that union raised certain issues and the services of the workman were dismissed on 23.09.2002. The Labour Court

vide order dated 05.02.2014, had denied the relief of reinstatement or back wages and award was passed accordingly.

Learned counsel for the petitioner has relied upon a judgment of this Court in “**CWP-15252-2014, decided on 02.05.2018,**”. In the said judgment, the Court had directed that the petitioner therein shall be entitled to enhance compensation from Rs.50,000/- to Rs.2 lacs, whereas, the petitioners, who were appointed on 01.03.1997, they are entitled to enhance compensation from Rs.50,000/- to Rs.2.5 lacs. Counsel for the petitioner accordingly prays that since the petitioner was initially appointed on 25.07.1997 and his services were terminated on 23.09.2002, therefore, he is entitled to the same amount i.e. Rs.2.5 lacs on the analogy that in the above said case also, employees had completed more than five years.

Learned counsel for the respondents has also gone through the judgment and submits that since no criteria has been fixed, the workman should be entitled to Rs.2 lacs and not Rs.2.5 lacs.

This Court is of the view that the present writ petition in view of the consensus on the basic issue, can be disposed of in the same terms as in CWP-15252-2014. It is hereby ordered that the petitioner in the present case also would be entitled to the compensation of Rs.2.5 lacs on the same/similar analogy, which has been noticed in the said judgment. In that judgment also, the petitioners in CWP-15260-2014, were appointed on 01.03.1997 and therefore, by the year 2002, they had completed more than five years and were thus held entitled to enhance compensation of Rs.2.5 lacs. Therefore, this Court also deems it appropriate to order that the

petitioner in the present case would also be entitled to enhanced compensation of Rs.2.5 lacs and the writ petition stands disposed of in the same terms as in CWP-15252-2014.

(GIRISH AGNIHOTRI)
JUDGE

08.01.2020
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No