

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 25681 of 2012

Basanti Das

.... Petitioner

Mr. S. S. Das, Advocate

-versus-

***The Presiding Officer, Industrial
Tribunal, Bhubaneswar and another***

.... Opposite Parties

Mr. Debasish Nayak
Additional Government Advocate

**CORAM:
THE CHIEF JUSTICE
JUSTICE R. K. PATTANAİK**

Order No.

**ORDER
08.08.2022**

- 18.
1. The Management's writ petition challenging the very same impugned award of the Industrial Tribunal, Bhubaneswar in Industrial Dispute Case No.74 of 2010 was dismissed by this Court by a detailed order dated 4th March, 2015. In other words, the impugned award has already been upheld in toto.
 2. It is seen that as far as the present petition is concerned, the grievance is only that the Tribunal should have ordered reinstatement rather than award lump sum compensation in lieu thereof.
 3. It is well settled now in a catena of decisions that despite the termination of services being found to be illegal, the order of reinstatement need not automatically follow. In the present case,

retrenchment compensation determined by the Tribunal in the year 2011 as Rs.1Lakh cannot be said to be unreasonably low.

3. The Court is therefore not persuaded to interfere with the award even at the instance of the worker.

4. The writ petition is accordingly dismissed.

(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge

S. Behera

