

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

201

CWP-17427-2018

Date of decision : 07.03.2022.

M/s Pranjal Projects (P) Limited Ballabgarh

... Petitioner

Versus

Presiding Officer, Industrial Tribunal-cum-Labour Court-III, Faridabad and
another

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Jai Bhagwan Sharma, Advocate for the petitioner.

Mr. Shiv Kumar, Advocate for respondent No.2.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioner/Management has challenged the award dated 01.05.2018 (Annexure P-1) whereby the claimant/respondent No.2 has been granted compensation of Rs.1,00,000/-.

Learned counsel for the petitioner submits that respondent No.2 had himself abandoned the job and therefore, he was not entitled to the compensation.

On the contrary, learned counsel for respondent No.2 submits that the services of respondent No.2 had been illegally terminated. He had served for two years and four months and the compensation cannot be held to be unreasonable.

Heard.

Respondent No.2 is stated to have been employed by the petitioner/Management in January, 2011. He met with an accident on 18.05.2012 and was under treatment at ESI Hospital, Faridabad upto

In the claim petition, it was stated that when respondent No.2 had been discharged from the hospital and had gone to join his duty along with the fitness certificate, he was not allowed to resume his duty by the Management.

The claimant/workman is stated to have been in the services of the petitioner from January, 2011 to 31.05.2013. He had thus served for two years and four months. No material had been produced by the petitioner/Management in support of its stand that respondent No.2 had abandoned the service. The Management did not send any letter to respondent No.2 calling upon him to resume his duty when he was unauthorizedly absent from duty.

In view of the above, I do not find any infirmity in the impugned award. The compensation of Rs.1,00,000/- appears to be just and reasonable especially when respondent No.2 is stated to have served for two years and four months.

Consequently, the petition stands dismissed.

At this stage, learned counsel for the petitioner contends that the operation of the impugned award had been stayed and in case, the award is to be upheld, respondent No.2 should not be awarded interest for the delayed payment.

The petitioner/Management shall release the amount of compensation of Rs.1,00,000/- to the claimant/respondent No.2 within a period of one month from the date of receipt of certified copy of this order. In case of delay, the claimant/respondent No.2 would be entitled to interest @ 12% p.a. thereafter.

(ANUPINDER SINGH GREWAL)
JUDGE

March 07, 2022
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2022.03.07 17:09
I attest to the accuracy and
integrity of this document

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