

**CWP-19815-2018
and CWP-30702-2018**

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201 (2 cases)

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

**CWP-19815-2018
and CWP-30702-2018
Date of Decision: 04.12.2023**

(1) CWP-19815-2018

M/S Zeeto Engineering Pvt. Ltd.

....Petitioner

Versus

Presiding Officer, Industrial Tribunal-cum-Labour Court, Ambala and
another

....Respondents

(2) CWP-30702-2018

Raja Ram

....Petitioner

Versus

Presiding Officer, Industrial Tribunal-cum-Labour Court, Ambala and
another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. H.S. Saggu, Advocate
for the petitioner.

Ms. Neha Sonawane, Advocate
for respondent No.2.

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HARSH BUNGER, J. (Oral)

1. This common order shall dispose of both the connected petitions, details of which have been given in the heading, as both the petitions arise out of same award dated 29.05.2018 and therefore, facts are common.

2. Prayer in CWP-19815-2018 filed under Articles 226/227 of the Constitution of India is for issuance of writ in the nature of Certiorari for setting aside the impugned award dated 29.05.2018 (Annexure P-3) passed by the Presiding Officer, Industrial Tribunal-cum-Labour Court, Ambala vide which the compensation of three lacs has been wrongly awarded in favour of respondent No.2/workman, whereas, in CWP-30702-2018 filed by the petitioner-workman, prayer is for issuance of a writ in the nature of Certiorari for setting aside impugned award dated 29.05.2018 (Annexure P-1) whereby, relief of reinstatement in service along with consequential benefits has not been granted to the petitioner-workman.

3. After arguing for sometime, learned counsel for the parties are *ad idem* that the Tribunal below while deciding the reference of the industrial dispute raised by the workman-Raja Ram has not returned findings in consonance with the pleadings of the parties as well as the evidence available on the record. Learned counsel for the parties further submit that they do not intend to lead any fresh evidence and the matter may be remanded back to the Tribunal for a fresh decision in a time bound manner.

4. In view of the aforesaid consensus arrived at between the counsel for the parties, the impugned award dated 29.05.2018 (Annexure P-3) in **CWP-19815-2018** and impugned award dated 29.05.2018 (Annexure P-1) in **CWP-30702-2018** are quashed and the matters are

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remanded back to the Tribunal for a fresh decision on the basis of evidence already available on the record preferably within a period of 6 months from the date of receipt/presentation of certified copy of this order.

- 5. Disposed of in the aforesaid terms.
- 6. All pending application(s), if any, shall also stands disposed of.
- 7. Photocopy of this order be placed on the file of the above mentioned connected case.

04.12.2023
Himani

(HARSH BUNGER)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No