



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

205

CWP-11591-1999

Date of Decision : 14.11.2024

PUNJAB STATE ELECTRICITY BOARD PETITIONER

V/S

PRESIDING OFFICER, LABOUR COURT, AMRITSAR AND
ANOTHER

.... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.Satyam Tandon, Advocate
for the petitioner.

Mr. Vasu Gupta, Advocate for
Mr. Prateek Mahajan, Advocate
for respondent No.2.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of award dated 05.09.1997 (Annexure P-1) whereby Labour Court has answered the reference in favour of workman.

2. The respondent-workman joined petitioner on 01.01.1988 and he was terminated on 10.09.1989. The matter was referred to Labour Court which vide award dated 05.09.1997 answered the reference in favour of workman. He was ordered to be reinstated with 50% back wages and continuity of service.



3. This Court vide order dated 19.08.1999 stayed operation of impugned order subject to compliance of provision of 17-B of Industrial Disputes Act, 1947 (for short 'ID Act').

4. The petitioner since 1999 is complying with provisions of Section 17-B of ID Act. Even today, the petitioner handed over a draft of Rs.31,200/- towards wages in terms of Section 17-B of ID Act.

5. The impugned Award was passed on 05.09.1997 and workman was terminated on 10.09.1989. A period of 35 years from the date of termination and 27 years from the date of impugned Award has elapsed. At this belated stage, the workman cannot be reinstated, however, he deserves reasonable amount of compensation.

6. Counsel for the parties submit that they leave it to this Court to determine amount of compensation.

7. Considering the last drawn salary, efflux of time, payment of wages under Section 17-B of ID Act and statement of both sides, this Court finds it appropriate to direct the petitioner to pay Rs.50,000/- to workman as lump sum amount. The payment shall be made within 1 month from today, failing which the said amount will carry interest @ 9% per annum.

8. Disposed of accordingly.

(JAGMOHAN BANSAL)
JUDGE

14.11.2024
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No