



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

1) **CWP-14385-1998 (O&M)**  
**Date of Decision:20.08.2024**

**HARYANA TOURISM CORPORATION LTD.** ..... Petitioner

*Versus*

**PRESIDING OFFICER, LABOUR COURT U.T. CHANDIGARH**  
**AND ORS** ..... Respondents

2) **CWP-23-2002**

**HARYANA TOURISM CORP. LTD.** .....Petitioner

*Versus*

**THE PRESIDING OFFICER, LABOUR COURT U.T.  
CHANDIGARH AND ANR. ....Respondents**

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present : Mr. Padam Kant Dwivedi, Advocate  
for the petitioner.

Mr. H.C. Arora, Advocate  
for the respondents.

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**JAGMOHAN BANSAL, J. (Oral)**

1. By this common order CWP-14385-1998 and CWP-23-2002 are disposed of since issues involved in the captioned petitions and prayer sought are common. With the consent of parties and for the sake of brevity, facts are borrowed from CWP-14385-1998.

2. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of Award dated 05.06.1997 (Annexure P-5) whereby Labour Court has answered the reference in favour of workman.

3. The matter was referred to Daily Lok Adalat which passed



order dated 14.03.2017 recording factual dispute between the parties and claim of both sides. The order dated 14.03.2017 is reproduced as below:

*“This order be read in this case as well as in CWP No. 23 of 2002.*

*This order may be read in continuation of our order dated 2.3.2017. As a matter of fact, it may be noticed here that Labour Court in its award (subject matter of CWP No. 14385 of 1998) had ordered reinstatement of the workman into service with continuity of service. However, back wages were restricted to ₹ 10,000/-, regarding which, as per our last order, the workman was prepared to accept ₹ 7500/-. The workman was reinstated in 1997 as a fresh appointee but no benefit of continuity of service was given. Even pay for the period August, 1997 to February 1998 was not given which led the workman to take the matter to the Labour Court which ordered payment of ₹ 28,000/- as salary for the aforesaid period. The workman, as per our last order, agreed to receive only ₹12,500/- instead of ₹ 28,000/- from the Management. To these two offers the Management has shown its acceptance. However, the workman has stated that he should be given benefit of continuity of service w.e.f. 1993 when his services were terminated. According to learned counsel for the Management, after getting instructions from Ms. Saroj Gupta, Assistant, Haryana Tourism Corporation Ltd., the Management is not prepared to give the benefit regarding continuity of service. In the aforesaid circumstances, the prayer made by both sides is that the cases be sent back to the Hon'ble High Court for adjudication.*

*Ordered accordingly.*

*Copy of the order be also placed on the file of CWP No. 23 of 2002.”*

4. Learned counsel for the parties are in tandem that both

petitions may be disposed of as petitioner is ready to pay a sum of ₹20,000/- as agreed between the parties.

5.            Both the petitions stand disposed of with a direction to petitioner to pay a sum of ₹20,000/- to respondent alongwith interest @ 7.5% from 14.03.2017 i.e. date of order passed by Daily Lok Adalat.

6.            Pending misc. application(s), if any, shall also stand disposed of.

( JAGMOHAN BANSAL )  
JUDGE

20.08.2024  
*Ali*

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|---------------------------|---------------|
| Whether speaking/reasoned | Yes/No        |
| <i>Whether Reportable</i> | <i>Yes/No</i> |