

2024:PHHC:096146



CWP-1767-1997

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

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Date of Decision : 30.07.2024

THE MANAGEMENT OF M/S SACHHA KHERA COOPERATIVE
CREDIT AND SERVICE SOCIETY LTD.

.... PETITIONER

V/S

PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, LABOUR
COURT, ROHTAK & ANR

.... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present :- Mr.Rajesh Sharma, Advocate for
Mr. Balkar Singh, Advocate
for the petitioner.

Mr. Tushar Gera, 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 24.07.1996 (Annexure P/4) whereby Tribunal has ordered to reinstate the respondent and further directed to pay back wages.

2. Learned counsel for respondent No.2 concedes that the respondent No.2 was reinstated, however, he was not paid back wages. He was ordered to be reinstated by order dated 24.07.1996 and had joined petitioner in 1987.



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3. A period of more than 35 years has passed away since the date of joining of respondent No.2. The parties are not aware whether respondent No.2 has already retired. There are all possibilities that respondent might have retired.

3. The cause qua reinstatement in view of retirement of respondent and efflux of time does not survive. The dispute remains qua back wages. From the record, it comes out that the respondent was claiming that he was actually getting Rs.350/- per month whereas in the record, it was shown as Rs.400/- per month.

4. Considering the pay as Rs.400/- per month, this Court finds that amount of back wages for the period from 1992 to 1996 would come to at the most Rs.25,000/-.

5. Without commenting upon the merits and to resolve the pending litigation, the petitioner is hereby directed to pay a sum of Rs.25,000/- to respondent within two months from today.

6. Disposed of.

(JAGMOHAN BANSAL)
JUDGE

30.07.2024

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