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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16190-1999 (O&M)
Date of Decision: 29.07.2024

STATE OF PUNJAB & ANR Petitioners

Versus

ATTAR SINGH & ANR Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The State of Punjab through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of award dated 20.05.1999 (Annexure P-1) whereby Labour Court, Gurdaspur has answered the reference in favour of the workman.

2. The workman worked with respondent from August' 1989 to June' 1990. He was discharged from service. He served demand notice dated 06.02.1991 (Annexure P-2) upon the petitioner and thereafter his matter in terms of Section 10 of Industrial Disputes Act, 1947 (for short '1947 Act') reached the Labour Court which vide impugned award directed the petitioner to reinstate the workman and further pay 50% of back wages apart from benefit of continuity of service.

3. Mr. Aman Dhir, DAG, Punjab submits that State, as per his instructions, is regularly complying with mandate of Section 17-B of 1947 Act.

4. The workman worked with respondent at the most for 293



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days. He issued demand notice in February’ 1991 and impugned award was passed on 20.05.1999 (Annexure P-1). The workman was awarded 50% of back wages. He was getting pay @ of ₹1200/- per month, thus, 50% comes to ₹600/- per month.

5. There is no representation on behalf of the workman and matter is pending before this Court for last 25 years. He is getting payment in terms of Section 17-B of 1947 Act though, he is not actually working with petitioner.

6. To resolve the issue and put the litigation to rest, this Court considering the length of service, last drawn pay of the workman and directions of Tribunal deems it appropriate to direct the petitioner to pay a sum of ₹50,000/- as lump sum payment towards back wages. Let the needful be done within 3 months from today.

7. Disposed of.

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

(JAGMOHAN BANSAL)
JUDGE

29.07.2024
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No