



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

220

CWP-4620-2019 (O&M)
Decided on : 30.05.2024

DAV Sr. Secondary Public School, Tohana
Versus
Presiding Officer, Industrial Tribunal-cum-
Labour Court, Hisar and another
... Petitioner(s)
... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Rajdeep Singh Cheema, Advocate
for the petitioner(s) along with
Principal of the petitioner – School.
Mr. Sandeep Lather, Advocate along with
Mr. Abha Ram, respondent No.2

SANJAY VASHISTH, J. (Oral)

1. Present writ petition has been filed by the petitioner - DAV Sr. Secondary Public School, Tohana, being the Management, by challenging the award dated 15.11.2018 (Annexure P-5), whereby, learned Presiding Officer, Industrial Tribunal-cum-Labour Court, Hisar (in short, 'learned Tribunal'), answered the Reference No.22 of 2016, under Section 10(1)(C) of the Industrial Disputes Act, 1947 (for brevity, 'ID Act'), in favour of respondent No.2 – Abha Ram (workman).
2. While holding the order of termination to be bad in law, learned Tribunal vide impugned award dated 15.11.2018 (P-5), ordered for reinstatement of the workman on the previous post with continuity in service and all other consequential benefits, along with 25% back-wages from the date of receipt of reference i.e. 25.05.2016.
3. Today, Principal of the petitioner – School and respondent No.2



– workman, both are present in-person in Court along with their respective counsel. The parties have deliberated with each other and after spending a good amount of time, reached to the amicable settlement that within a week from today, the petitioner – School would take respondent No.2 – workman in service. Besides, all the benefits, which have been awarded to workman by learned Tribunal, would be extended to him, without any delay, however, same would be subject to the foregoing of 25% back-wages by the workman.

4. Besides, Court has been informed that after the stay granted by this Court, on the operation of the impugned award (P-5), the petitioner – School (Management), is complying with the provisions of Section 17-B of the ID Act. Therefore, workman would not be entitled for any other benefit. However, he would be taken back in service immediately, as stated above, by the petitioner – School (Management).

5. On the other hand, counsel representing respondent No.2 – workman, after consulting with his client, submits that the proposal given by the petitioner – School (Management) is acceptable to the workman. Thus, on the settled terms, as disclosed by the petitioner and accepted by the workman, let present writ petition be disposed of.

6. Ordered accordingly.

Let compliance be done within the time period as stated by the petitioner – School (Management).

(SANJAY VASHISTH)
JUDGE

May 30, 2024

J.Ram

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