

CWP-5271-1998 (O&M) &
CWP-11922-1998 (O&M) 1

2021:PHHC:0*1874



204+2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-5271-1998 (O&M)
Date of Decision:02.08.2024

1) HISAR IMPROVEMENT TRUST Petitioner
Versus

THE PRESIDING OFFICER AND ANR. Respondents

2) CWP-11922-1998 (O&M)

JASWANT SINGHPetitioner

Versus

HISAR IMPROVEMENT TRUST AND ANR
.....Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

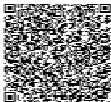
Present : Mr. Samrat Malik, Advocate
for the petitioner in CWP-11922-1998 and
for respondent No.2 in CWP-5271-1998.

Mr. Rajinder Goel, Advocate
for the petitioner in in CWP-5271-1998 and
for respondent No.1 in CWP-11922-1998.

JAGMOHAN BANSAL, J. (Oral)

1. By this common order CWP-11922-1998 and CWP-5271-1998 are disposed of since issue involved in both the petitions and prayer sought are common. With the consent of parties and for the sake of brevity, facts are borrowed from CWP-5271-1998.

2. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 07.11.1997 (Annexure P-8) whereby Labour Court has answered reference in favour of workman. The Labour Court has ordered to reinstate the workman with continuity of service and 50% back wages from the date of demand notice dated 05.02.1992.



3. Mr. Samrat Malik, Advocate submits that petitioner-Management has complied with mandate of Section 17-B of Industrial Disputes Act, 1947 till March’ 2024 and thereafter they have stopped making payment.
4. Mr. Rajinder Goel, Advocate expressed his inability to controvert the said submission. He submits that workman worked till January’ 1992 and demand notice was issued on 05.02.1992. The Labour Court passed award on 07.11.1997 (Annexure P-8). The workman was drawing salary to the tune of ₹2140/- per month. The workman would complete age of 58 years in 2029.
5. On the asking of Court, Mr. Rajinder Goel, Advocate submits that Management would pay a sum of ₹3 lakh as lump sum amount, if workman waives his all rights.
6. On the asking of Court, Mr. Samrat Malik, Advocate agrees to the said arrangement.
7. Considering the facts, figures and amount agreed by petitioner-Management, both the petitions stand disposed of with a direction to petitioner-Management to pay a sum of ₹3 lakh to workman within 3 months from today.
8. Pending misc. application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

02.08.2024
Ali

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