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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-8784-1996
Date of Decision:02.08.2024

HARYANA STATE SEEDS CERTIFICATION AGENCY CHD

..... Petitioner

Versus

THE PRESIDING OFFICER, LABOUR COURT, PANIPAT &
ANR

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

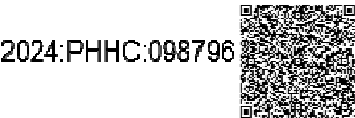
Present : Mr. R.S. Duggal, Advocate
for the petitioner.

None for the respondents.

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 18.10.1995 (Annexure P-5) whereby respondent was ordered to be reinstated along with back wages from the date of his termination till the date of reinstatement.

2. Learned counsel for the petitioner submits that in view of changed circumstances, the workman cannot be reinstated, thus, question of reinstatement does not survive. The management was directed to pay to workman, in terms of Section 17-B of Industrial Disputes Act, 1947 (for short '1947 Act'), during the pendency of present petition. Counsel for the petitioner confirms that workman, during the pendency of petition, was paid in terms of Section 17-B of 1947 Act.



3. The question which remains pending is as to whether respondent-workman is entitled to back wages as ordered by Tribunal.

4. Keeping in mind paras 50-52 of judgment of Supreme Court in *Central Council for Research in Ayurvedic Sciences and another v. Bikartan Das and others, 2023 SCC OnLine SC 996* and to put the litigation to rest, this Court considering the length of service; last drawn pay of the workman; payment of wages to workman in terms of Section 17-B of 1947 Act and directions of Tribunal, deems it appropriate to direct the management to pay a sum of ₹75,000/- as lump sum payment to workman towards back wages. Let the needful be done within 3 months from today.

5. Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

02.08.2024
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No