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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-13439-2000 (O&M)
Date of Decision:14.10.2024

DALBIR SINGH Petitioner

Versus

PRESIDING OFFICER LABOUR CUM INDUSTRIAL TRIBUNAL
HISAR AND OTHERS Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Vinay Kumar Pandey, Advocate
for the petitioner.

Mr. Raman Sharma, Addl. AG, Haryana.

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 10.03.1997 (Annexure P-1) to the extent petitioner has not been granted back wages.
2. Mr. Vinay Kumar Pandey, Advocate for the petitioner submits that on the same date petitioner as well as Wazir Singh (co-worker) were terminated from service. The Labour Court ordered to reinstate petitioner as well as Wazir Singh, however, back wages were not awarded in the case of petitioner though awarded to Wazir Singh to the extent of 75%.
3. Learned State counsel on being confronted with Award dated 26.03.1997 (Annexure A-1) passed by Labour Court in the case of Wazir Singh expressed his inability to distinguish facts of the petitioner from



the facts of Wazir Singh’s case.

4. The petitioner was retrenched in February’ 1986 and he was ordered to be reinstated by Award dated 10.03.1997 (Annexure P-1). His last drawn salary was Rs.500/- per month. He approached this Court for the first time after 20 months from the date of his retrenchment. His co-worker was awarded back wages to the extent of 75% whereas no back wages were awarded to him.

5. Considering the facts in totality, this Court finds it appropriate to direct the respondent to pay a sum of Rs.45,000/- to petitioner towards back wages within 3 months from today. In case respondent fails to pay, the said amount would carry interest @ 9% per annum from the expiry of said period.

6. Disposed of.

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

(JAGMOHAN BANSAL)
JUDGE

14.10.2024
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>