

CWP-14203-2020
and connected cases.



102-5
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-14203-2020
Date of Decision:18.11.2024

RAGHBIR SINGH Petitioner

Versus

PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT I, GURUGRAM AND OTHERS Respondents

Sr. No.	Case Number	Titled
2.	CWP-14211-2020	ASHOK KUMAR PRAJAPAT V/S PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT I, GURUGRAM AND OTHERS
3.	CWP-14272-2020	DALIP SINGH (SINCE DECEASED) THROUGH HIS LRS V/S PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT I, GURUGRAM AND OTHERS
4.	CWP-14201-2020	VINOD KUMAR V/S PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT I, GURUGRAM AND OTHERS
5.	CWP-14180-2020	RAJENDER KUMAR V/S PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT I, GURUGRAM AND OTHERS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Lajpat Rai Sharma, Advocate for
Mr. Vivek Khatri, Advocate
for the petitioner.

Mr. Akshat Dalal, Advocate for
Mr. Vaibhav Jain, Advocate
for respondent No.2.

JAGMOHAN BANSAL, J. (Oral)

1. By this common order, the above-noted petitions are hereby adjudicated as issues involved and prayer sought in all the petitions are common. For the sake of convenience and with the consent of parties, the facts are borrowed from CWP-14203-2020.



2. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking modification of impugned order to the extent that Labour Court has granted compensation in lieu of reinstatement.
3. The Labour Court by impugned order dated 14.03.2019 (Annexure P-8) has awarded compensation of Rs.90,000/- in lieu of reinstatement and back wages. It is undisputed fact that Unit has been closed. The respondent is no more in the business of manufacturing or rendering services. The petitioner worked with respondent from April' 2003 to May' 2005.
4. The petitioner was terminated in May' 2005 and a period of 19 years from the date of termination has passed away. The Unit was closed in 2008 and Company is no more in business activities. The Labour Court considering factual and legal position has awarded lump sum compensation of Rs.90,000/-.
5. On account of closure of Unit, there is no question of reinstatement. The question remains of enhancement of compensation.
6. In view of closure of Unit and expiry of 19 years from the date of termination, this Court does not find it appropriate to modify/enhance amount of compensation already awarded by Labour Court.
7. Dismissed.

(JAGMOHAN BANSAL)
JUDGE

18.11.2024
Ali

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