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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Date of Decision: 30.07.2024

THE EXECUTIVE ENGINEER WATER SERVICES  
MECHANICAL DIVN ROHTAK. AND ORS

..... Petitioners

*Versus*

BALBIR SINGH AND ANR

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present : Mr. Raman Sharma, Addl. AG, Haryana  
for the petitioners.

Mr. Saurabh Arora, Advocate and  
Mr. Pawan Kumar, Advocate  
for respondent No.1.

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**JAGMOHAN BANSAL, J. (Oral)**

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of award dated 10.01.2011 (Annexure P-5) whereby respondent was ordered to be reinstated alongwith 50% back wages from the date of demand notice.
2. Learned counsel for the parties are *ad idem* that respondent has passed away, thus, question of reinstatement does not survive. LRs of the respondent are on record. The State was directed to pay in terms of Section 17-B of Industrial Disputes Act, 1947 (for short '1947 Act') to respondent during the pendency of present petition.
3. Learned State counsel confirms that respondent, during the pendency of petition was paid in terms of Section 17-B of 1947 Act.
4. The question which remains pending is whether respondent



was entitled to back wages as ordered by Tribunal.

5. There is representation on behalf of the workman and matter is pending before this Court for last 23 years.

6. To resolve the issue and put the litigation to rest, this Court considering the length of service, last drawn pay of the workman and directions of Tribunal deems it appropriate to direct the petitioner to pay a sum of ₹50,000/- as lump sum payment towards back wages. Let the needful be done within 3 months from today.

7. Disposed of.

( JAGMOHAN BANSAL )  
JUDGE

30.07.2024  
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|---------------------------|---------------|
| Whether speaking/reasoned | Yes/No        |
| <i>Whether Reportable</i> | <i>Yes/No</i> |