

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

2024:PHHC:147016



**CWP No.14616 of 2016(O&M)
Date of Decision: 12.11.2024**

Hartron Electronics Research Development and Facility Centre

....Petitioner

vs.

Naveen Kumar and another

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Pankaj Gupta, Advocate and
Mr. Vaibhav Gupta, Advocate
for the petitioner

Mr. Rakesh Kumar, Advocate
for respondent No. 1

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 25.01.2016 (Annexure P-1) whereby Labour Court has answered the reference in favour of the workman.

2. The petitioner is a Public Sector Undertaking. Respondent No. 1 is its ex-employee. The petitioner dismissed him from service and the matter reached to Labour Court which vide impugned award ordered to reinstate him with 50% back wages.

3. Mr. Pankaj Gupta, Advocate submits that respondent was permitted to join back and he actually joined on 25.01.2017. He remained



absent in February and March’2017, thus, he was again terminated. The award passed by Labour Court stood complied with as soon as workman was reinstated. The Management would pay back wages as ordered by Labour Court.

4. The second order whereby workman was terminated is not under challenge. This is a petition of Management. The Labour Court ordered to reinstate the workman with 50% back wages. The petitioner has complied with award of Labour Court qua reinstatement and is willing to pay back wages, thus, petition has rendered infructuous.

5. Disposed of as having rendered infructuous.

6. It is made clear that petitioner would pay back wages to the workman, as ordered by Labour Court, within two months from today.

7. This order would not inhibit the workman from assailing subsequent termination order of the Management.

8. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

12.11.2024
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No