

2024:PHHC:149063



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

CWP-25669-2022

Date of decision: 14.11.2024

1.M/S P.S.P.C. PRESS PVT. LTD.

..PETITIONER

VS.

**THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT AND ANOTHER**

..RESPONDENTS

CWP-25687-2022

2.M/S P.S.P.C. PRESS PVT. LTD.

..PETITIONER

VS.

**THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, FARIDABAD AND ANOTHER**

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Anurag Lakhotia, Advocate with
Mr. Gurdeep Singh Nehra, Advocate for the petitioner.
(Through VC)

Mr. Jashan Sekhon, Advocate
for Mr. Shiv Kumar, Advocate for respondent No.2.

JAGMOHAN BANSAL, J.(ORAL)

1. By this common order CWP No. 25669 of 2022 and CWP

No.25687 of 2022 are disposed of as issues involved and prayer sought in

both the petitions are common. For the sake of convenience and with the consent of parties, the facts are borrowed from CWP No.25669 of 2022.

2. The instant petition under articles 226/227 of the Constitution of India is for seeking setting aside of award dated 14.07.2022 whereby Labour Court has answered the reference in favour of workman.

3. The petitioner is a private limited company and respondent No.2 is its ex-employee. A dispute erupted between the parties. The respondent was terminated and he approached Labour Court which by impugned award ordered to reinstate him with continuity of service with 50% back wages.

4. This Court vide order dated 16.10.2023 granted opportunity to respondent to rejoin and as per report of Labour Inspector, Faridabad, the respondent joined on 17.08.2023. The petitioner is claiming that respondent did not come forward to work after joining on 17.08.2023.

5. The conduct of workman indicates that he is not interested to work with petitioner. Thus, impugned order qua reinstatement needs to be set aside and accordingly set aside.

6. The Labour Court has further directed the petitioner to pay 50% back wages. Mr. Lakhotia, Advocate submits that management, to resolve the issue is ready to pay lumpsum Rs.1.5 lacs as full and final payment.

7. Counsel for the respondent agrees to said arrangement.

8. In view of statement of both sides, the petitions stand disposed of with a direction to petitioner to pay a sum of Rs. 1.5 lacs to each respondent-workman within one month from today. In case, payment is not

made within said period, the petitioner shall be liable to pay interest @ 9 %
per annum.

9. Disposed of.

November 14, 2024
Poonam Sharma

(JAGMOHAN BANSAL)
JUDGE

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No