



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

111

CWP-24092-2024**Date of decision: 20.09.2024****RAVINA****....PETITIONER****Vs.**

**PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT AND OTHERS**

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

Present: Mr. Virender Kumar, Advocate
for the petitioner.

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 30.04.2024 (Annexure P-3) whereby Labour Court has awarded her lump sum compensation of Rs. 1,00,000/-.

2. The petitioner joined respondent-Haryana Shehri Vikas Pradhikaran as a Sweeper on 01.05.2015. She continued to work till 31.10.2020. She was engaged through manpower agencies i.e. respondent Nos. 3 and 4. A dispute erupted between petitioner and contractor which resulted in her termination. The petitioner claims that she had lodged complaint against Jagbir Malik, Supervisor, thus, she was terminated. The petitioner claims that despite 5 years' service, she has been granted meager amount of Rs. 1,00,000/- towards lump sum compensation. Different Courts have awarded higher compensation in similar circumstances.

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3. From the perusal of record, it comes out that petitioner was working with respondent No. 2 through private manpower agencies. She filed a complaint against the Supervisor. She had completed 240 days during the preceding 12 months and she was retrenched without complying with Section 25-F of Industrial Disputes Act, 1947. The Labour Court has held that respondent Nos. 3 and 4 i.e. Manpower Agencies are liable to pay lump sum compensation to petitioner. The Court considered the last drawn salary, length of service and thereafter determined amount of compensation.

4. The amount of compensation is not a fixed statutory amount, thus, it depends upon various factors. This Court cannot act as an Appellate Court and sit over judgment of Labour Court. There is no jurisdictional error or factual infirmity warranting interference.

5. Dismissed.

20.09.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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