



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

120

CWP-31994-2024

Date of decision: 27.11.2024

NEELAM HOSPITAL AND MATERNITY HOMEPETITIONER

Vs.

PRESIDING OFFICER, INDUSTRIAL TRIBUNAL AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Karan Diwan, Advocate for
Mr. Mohit Shukla, 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 22.07.2024 (Annexure P-4) whereby Labour Court has awarded retrenchment compensation of Rs. 50,000/- to workman.
2. The petitioner is a Maternity Hospital. The respondent No. 2 worked with it as nursing staff from 10.08.2009 to 05.07.2016, thereafter, she came to be terminated. She served demand notice and matter came to be referred to Labour Court which by impugned Award has not ordered for reinstatement or back wages, however, awarded lump sum compensation of Rs. 50,000/-.
3. Mr. Karan Diwan, Advocate submits that respondent No. 2 was a casual worker, thus, petitioner was not liable to pay retrenchment compensation.
4. I have heard the arguments and with the able assistance of learned counsel perused the record.



CWP-31994-2024

-2-

5. The contention of petitioner that respondent was not entitled to retrenchment compensation because she was casual worker is misconceived. The said argument is contrary to judgment of Supreme Court in '*Devinder Singh Vs. Municipal Council, Sanaur*' (2011) 6 SCC 584.

6. Apart from aforesaid fact, it deserves to be noticed that Labour Court has awarded a meager compensation of Rs. 50,000/-. The respondent had worked with petitioner for 7 years and was getting salary Rs.7,400/- per month. In view of length of service and last drawn salary, it cannot be conceived that amount awarded is exorbitant or on the higher side.

7. Dismissed.

27.11.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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