

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

**LPA No.10 of 2025 (O&M)
Date of Decision: 09.01.2025**

Haryana Co-operative Sugar Mills, Rohtak

...Appellant

Versus

Sh. Rai Singh and another

...Respondents

**CORAM: *HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA*
*HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA***

Present:- Mr. Hardeep Singh Kasan, Advocate
for the appellant.

SANJEEV PRAKASH SHARMA, J.(Oral)

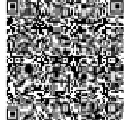
CM No.33-LPA of 2025

For the reasons mentioned in the application, the same is allowed and the delay of 171 days in filing the present appeal is condoned.

LPA No.10 of 2025

We have heard learned counsel for the appellant.

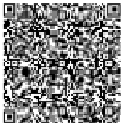
2. Learned counsel for the appellant submits that the writ petitioner-respondent No.1 ought not have been granted the benefit as granted to Jagdish Singh and that 50% backwages could not have been offered to him which is an admitted position that at the time of initial admission of the case, the Court noticed the case of co-worker Jagdish Singh and the fact that the Court had stayed 50% of the backwages which had been granted in favour of Jagdish Singh.



3. While passing the order dated 31.01.2007 as quoted by the Single Bench, we find that the Division Bench, which was examining cases at that point of time, relating to Awards passed by the Industrial Tribunal directed the respondent-petitioner to be taking in employment in the same terms and conditions as applicable in the case of co-worker Jagdish. The appellant complied with the order and respondent Rai Singh was taken in employment. The appellant, however, now submits that while 50% backwages were payable to Jagdish, the same were not payable to the respondent-writ petitioner as Jagdish had completed 240 days of service.

4. We have considered the submissions. We find that the reinstatement directions for the respondent-petitioner-workman by the Industrial Tribunal were on account of non-compliance of the provisions of Sections 25-G & 25-H of the Industrial Disputes Act. Similarly, the reinstatement directions were also issued for co-worker Jagdish. CWP No.2947 of 2004 was filed by the appellant challenging the reinstatement and grant of 50% backwages to Jagdish which was dismissed by this Court on 20.02.2019.

5. In view thereto, when 50% backwages have already been paid to Jagdish, this Court had found the case of the petitioner to be similar to that of co-worker Jagdish and had initially directed the appellant to take the petitioner in employment on the same terms and conditions as applicable in the case of co-worker Jagdish. Respondent No.1-petitioner would be entitled to the same benefits as granted to co-worker Jagdish. Since 50% backwages have been released in favour of Jagdish, the order passed by



learned Single Judge for disposing of the writ petition in the same terms,
does not warrant any interference. The present appeal is dismissed.

(SANJEEV PRAKASH SHARMA)
JUDGE

09.01.2025
neetu

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No