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

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Date of Decision :23.01.2025

**Primary Health Centre, Village Rasulpur
and another**

...Petitioners

Versus

Bimla Devi and another**...Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Gaurav Jindal, Addl. A.G. Haryana
for the petitioner-State.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, challenge is to the award dated 20.01.2023 (Annexure P/1) passed by the Presiding Officer, Industrial Tribunal-cum-Labour Court, Ambala by which, the respondent-Workman was directed to be reinstated in service with continuity along with 50% back wages.

2. The only argument raised by the learned counsel for the petitioner is that rather than reinstating the respondent-Workman in service along with 50% back wages, compensation should have been awarded to her.

3. It may be noticed that the assertion of the respondent-workman was that she was working with the petitioner since the year 1992 onwards



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and had performed the duties for the last two and a half decades before her services were terminated so as to appoint some one else, is arbitrary and illegal.

4. Further, nothing has come on record that work on the post on which the respondent-Workman was working does not exist any more so as to only grant the compensation after holding the termination of service invalid. Further, once the Labour Court has exercised its discretion to grant a particular relief, the claim that the alternative relief should be granted to the liking of the petitioner cannot be accepted until and unless there is perversity in the order so as to grant the relief to the respondent-workmen.

5. In the present case, no perversity in the impugned award has been pointed out by the petitioner so as to disturb the findings of the Labour Court.

6. Keeping in view the above, no ground is made out for interference by this Court and the writ petition is accordingly dismissed.

January 23, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No