



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(208)

CWP No. 11495 of 1999 (O&M)

Date of Decision : 04.04.2025

Punjab Mandi Board, Chandigarh

...Petitioner

Versus

Workman Bhim Bahadur and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Deepak Gupta, Advocate for the petitioner.

Mr. Harinder Sharma, Advocate for respondent No. 1.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the petitioner submits that the present petition was admitted on 18.08.1999 and the operation of the Award was stayed subject to Section 17-B of Industrial Disputes Act, 1947 (hereinafter referred to as '1947 Act') and thereafter, vide order dated 16.08.2004, the Workman was directed to be paid the current wages, which were paid and then the petitioner decided that rather than paying the current wages, the Workman should be reinstated and he was ultimately reinstated and the benefit of regularization was also given and as of now, the Workman has unfortunately died and his wife has been given the benefit of compassionate appointment.

2. Keeping in view the fact that the Award dated 19.04.1999 except the payment of back wages has already been complied with, now the



question which arise is whether, the respondent-Workman was entitled for 40% of the back wages from the date of demand notice or not.

3. Once, the services of the Workman were found to be terminated in violation of the provisions of 1947 Act and nothing has come on record that the Workman was gainfully employed coupled with the fact that only 40% of the back wages have been granted from the date of demand notice, no interference is called for by this Court in the facts and circumstances of the present case, especially when, learned counsel for the petitioner has not been able to point out any perversity in the impugned Award.

4. Present petition is dismissed.

5. Pending miscellaneous application, if any, also stands disposed of.

April 04, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No