

CWP No. 18254 of 1998 (O&M) and
CWP No. 2907 of 1999 (O&M)

2025:PHHC:019338



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(Sr. No. 219)

(1)

CWP No. 18254 of 1998 (O&M)
Date of Decision : 10.02.2025

The Chaudhary Charan Singh Haryana Agriculture University, Hissar

...Petitioner

Versus

The Presiding Officer, Labour Court-cum-Industrial Tribunal, Hisar
and others

...Respondents

(2)

CWP No. 2907 of 1999 (O&M)

Devinder Mehta

...Petitioner

Versus

The Chaudhary Charan Singh Haryana Agriculture University, Hissar
and another

...Respondents

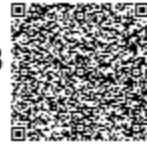
CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Shreenath A. Khemka, Advocate
for the petitioner-University in CWP-18254-1998 and
for the respondent-University in CWP-2907-1999.

Mr. Gaurav Jain, Advocate
for respondent No. 2 in CWP-18254-1998 and
for the petitioner in CWP-2907-1999.

Harsimran Singh Sethi J. (Oral)

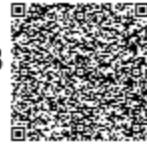
1. Learned counsel for the parties submit that as of now, the writ
petitions are pending consideration for the past 24 years and the Workman-



respondent No. 2 has already died and thus, the question of reinstatement does not find in weight in current scenario. Learned counsel for the parties submit that keeping in mind the circumstances of the present case, the liberty is given to the Court to decide as to what amount of compensation should be awarded to the deceased employee i.e. the deceased Workman keeping in view the fact that the Workman has worked for more than five years under the petitioner-University.

2. Keeping in view the settled principle of law pronounced by the Hon'ble Supreme Court of India where an employee who has worked and termination of services has been found to be in contravention of the Industrial Disputes Act, 1947, but the said Workman cannot be reinstated, in order to compensate such an employee, a sum of ₹50,000/- for each year of duty performed has been awarded. The reliance can be placed upon the judgment of the Division Bench of this Court passed in LPA No. 1203 of 2021 titled as ***Sukhbir Singh Vs. State of Haryana and others***, decided on 01.03.2023, where this Court has also decided similarly keeping in mind the law settled by the Hon'ble Supreme Court of India.

3. Keeping in view the fact that the operation of the Award, which was passed 26 years ago, was stayed subject to the payment of Section 17-B of the Industrial Disputes Act, 1947 and concededly, nothing was paid to the employee during the interregnum 26 years thus, it will be in the interest of justice that a sum of ₹3.5 lacs is paid to the employee as lump sum compensation to satisfy the Award. The question of law is kept open keeping in view the facts and circumstances of the present case.



4. Let the amount be released in favour of the claimant within a period of four weeks from the date of receipt of copy of this order, failing which it will carry interest @ 6% per annum from today.

5. Petitions are disposed of in above terms.

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

7. A photocopy of this order be placed on the file of connected cases.

February 10, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No