



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(203)

CWP-4891-1999 (O&M)

Date of Decision : 29.01.2025

The Haryana State Cooperative Supply and Marketing Federation Ltd.

...Petitioner

Versus

Presiding Officer, Labour Court, Hisar and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Jagbir Malik, Advocate for the petitioner.

Mr. Harinder Sharma, Advocate for Respondent No. 2.

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**Harsimran Singh Sethi J. (Oral)**

**CM-5625-CWP-2024**

The present application has been filed by the applicant/respondent No. 2-workman to modify the Award passed by the Tribunal in his favour so as to grant him continuity of service.

It may be noticed that the Award dated 04.12.1998 (Annexure P-2) was passed by the Tribunal, which Award has been accepted by the applicant/respondent No. 2-Workman upon getting the reinstatement in the year 1999. For a period of 15 years, the applicant/respondent No. 2-Workman worked with the petitioner and raised no grievance with regard to the Award. After a period of 10 years of retirement, the applicant/respondent No. 2-workman has filed the present application seeking modification of the Award and that too in a writ petition which has been filed



by the petitioner, which is being withdrawn on the ground that the Award has already been implemented.

In case, the applicant/respondent No. 2-workman had any grievance against the Award of the Tribunal, he should have availed the appropriate remedy immediately or while he was in service but he cannot be allowed to challenge the said Award after 10 years of his retirement and that too when he had already availed the benefit under the Award of reinstatement dated 04.12.1998 (Annexure P-2).

Keeping in view the facts and circumstances of the present case, the prayer of the applicant/respondent No. 2-workman in the application that he should be granted continuity of service by modifying the Award passed by the Tribunal to the prejudice of the petitioner, cannot be accepted and the said application is accordingly rejected.

**CWP-4891-1999 (O&M)**

1. Learned counsel for the petitioner submits that as the Award dated 04.12.1998 (Annexure P-2) has already been implemented and the benefit of reinstatement under the Award has already been given, the present petition may kindly be disposed of having been not pressed any further.

2. Ordered accordingly.

3. Qua the claim of the respondent No. 2-workman with regard to the grant of wages after reinstatement, in case there is any dispute, the respondent No. 2-workman will be free to agitate the same before appropriate authority claiming that upon reinstatement, he was entitled for a particular wages which was not extended to him.



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

January 29, 2025  
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(HARSIMRAN SINGH SETHI)  
JUDGE

Whether speaking/reasoned : Yes  
Whether reportable : No