



218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9797-2023 (O&M)

Date of Decision : 21-03-2025

SANDEEP SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gurjinder Singh Thind, Advocate
for the petitioner.

Mr. T.P.S Chawla, Sr. DAG Punjab.

Ms. Suman Kumari, Advocate for
Mr. Nikhil Batta, Advocate
for respondent No.3.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that though vide award dated 12.07.2022, copy of which has been appended as (Annexure P-6), the compensation has been granted to the petitioner but the same is not in accordance with the settled principle of law as the petitioner has worked for approximately 1 year, he is entitled for the compensation as per law settled by the Division Bench in LPA No.1203 of 2021 titled "*Sukhbir Singh Vs. State of Haryana and anr.*", decided on 01.03.2023.

2. Learned counsel for the respondents have not been able to rebut that as per the settled principle of law settled by the Division Bench in LPA No.1203 of 2021 titled "*Sukhbir Singh Vs. State of Haryana and anr.*", decided on 01.03.2023, it has been held that compensation of Rs.50,000/- is to be granted for each completed year.

3. I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

4. Once, the compensation is to be paid, the same has to be determined as per the settled principle of law. As per the judgment of the Division Bench in LPA No.1203 of 2021 titled “***Sukhbir Singh Vs. State of Haryana and anr.***, decided on 01.03.2023, for each completed year, Rs.50,000/- is to be given. The relevant portion of the said judgment is as under:-

“XXX.....6. Resultantly, once the workman had completed 240 days and apparently had worked for a period spanning more than 5 ½ years, we are of the considered opinion that dispensing of his service before his contractual period came to an end would entitle him for the statutory protection which would be evident from the award of the Labour Court. However, keeping in view the fact that at this point of time, it would not 3 of 5 Neutral Citation No:= be justified to put him back in service since a period of almost 25 years has gone by and therefore, it would be just and appropriate to award compensation to the tune of Rs.2,50,000/- on an average of Rs.50,000/- per year, keeping in view the fact that the State had taken his service for more than 5 years with the same office in different districts.

7. The Apex Court in **Haryana Urban Development Authority Vs. Om Pal**, (2007) 5 SCC 742 granted Rs.25,000/- for the service of one year whereas in **Uttaranchal Forest Development Corporation Vs. M.C.Joshi**, (2007) 9 SCC 353, for a period of 2 years, a sum of Rs.75,000/- was granted. Similarly, in **Asst.Engineer, Rajasthan Development Corporation & another Vs. Gitam Singh**, 2013 (1) SCR 679, the said view was followed while noticing that the service was of 8 months and thus, compensation of Rs.50,000/- was granted. Similarly, in **Management, Hindustan Machine Tools Ltd. Vs. Ghanshyam Sharma**, 2018 (18) SCC 80, for a period of one year,

compensation of Rs.50,000/- had been granted. In K.V.Anil Mithra & another Vs. Sree Sankaracharya University of Sanskrit & another, 2021 (4) SCT 415, for a period of little over 4 years, amount awarded was Rs.2,50,000/- in lieu of the reinstatement and backwages of 50% which was granted and accordingly, modified....XXX”.

5. Keeping in view the said principle of law laid down in LPA No.1203 of 2021 titled “**Sukhbir Singh Vs. State of Haryana and anr.**”, decided on 01.03.2023, which principle of law has not been rebutted by the learned counsel for the respondents, the petitioner is entitled for a compensation of Rs.50,000/- hence, the impugned award of the Labour Court in the present petition dated 12.07.2022 (Annexure P-6) is modified that instead of lump sum compensation of Rs.30,000/-, the petitioner will be entitled for a compensation of Rs.50,000/-. However, no interest is entitled on the enhanced amount. The same shall be paid within a period of 8 weeks from the receipt of copy of this order failing which it will carry interest @ 6% per annum from today till payment.

6. The present petition is disposed of in above terms.

7. Pending application, if any, also stands disposed of.

21-03-2025

Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES
Whether reportable: NO