



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

233

**CWP-10904-2013 (O&M)
CWP-10916-2013 (O&M)
CWP-10935-2013 (O&M)
CWP-11107-2013 (O&M)
CWP-10907-2013 (O&M)
Date of Decision: 01.05.2025**

BSEH Electric Limited (Formerly known as Bhartia Industries Limited/Bhartia Cutler Hammer Limited)

..Petitioner(s)

Versus

Presiding Officer, Labour Court-II, Faridabad and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Adarsh Jain, Advocate and
Ms. Amandeep Kaur, Advocate for the petitioner.

Mr. Ashwani Bakshi, Advocate
for the respondents.

HARSIMRAN SINGH SETHI, J. (ORAL)

1. In the present bunch of petition, the challenge is to the award dated 31.01.2013, copy of which has been appended as 'Annexue P-1' by which, the workmen have been directed to be reinstated in service along with 50% backwages.

2. Learned counsel for the petitioner submits that the similar dispute was also raised in CWP-10914-2013, which was decided by the Co-ordinate Bench, on 20.02.2024 wherein though the finding of the Labour Court that the services of the workmen were terminated in violation of the



Industrial Disputes Act, 1947, was upheld but, the relief bestowed upon the workman was modified to the extent that instead of benefit of reinstatement in service and 25% backwages, a lump sum compensation of Rs.2,00,000/- is to be paid within a period of two months of the said judgment and in case of default in making the said payment, the said amount will also carry 6% interest per annum.

3. Learned counsel for the petitioner further submits that though, the said order was assailed before the Letters Patent Bench but, the judgment dated 20.02.2024, passed by the Co-ordinate Bench has been implemented.

4. Learned counsel for the respondents submits that though, he has no instructions whether the workmen agreed to the benefit of compensation of payment of Rs.2,00,000/- or not but, as per the order dated 20.02.2024 passed by the Co-ordinate Bench, the said relief has been given to the workman after appreciating the fact.

5. I have heard learned counsel for the parties and have gone through the records of this case with their assistance.

6. Once, in the case of similarly situated employee, wherein also, the award, passed by the Labour Court was in favour of the workman granting reinstatement in service with backwages, the said relief has been modified to the extent that workman will be granted a lump-sum compensation of Rs.200,000/-, therefore, in the similar facts and circumstances, in order to maintain the parity, this Court has to follow the same.

7. Keeping in view the totality of the circumstances, the present petitions are also disposed of in terms of the judgment in CWP-10914-2013,



decided on 20.02.2024.

8. The awards are accordingly modified to the extent that instead of reinstatement in service along with 50% backwages, the workmen will be entitled for a lump-sum compensation of Rs.2,00,000/-, which will be paid by the petitioner to the workmen within a period of six weeks from the date of the receipt of certified copy of this order, failing which the workmen will also be entitled for interest @ 6% per annum on the said compensation from the date of judgment i.e. today till the payment of the same.

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

(HARSIMRAN SINGH SETHI)
JUDGE

May 01, 2025
Nisha-1

Whether speaking/reasoned	Yes
Whether reportable	No