



CWP-19321-2011

1

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

(207)

CWP-19321-2011

Date of Decision : 14.11.2025

Rajesh Kumar

...Petitioner

Versus

Presiding Officer, Industrial Tribunal
cum Labour Court, Hisar and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARIPresent: Mr. Harsh Jain, Advocate
for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

KULDEEP TIWARI, J.(ORAL)

1. The petitioner/workman, has filed the instant writ petition, cast under Article 226//227 of the Constitution of India, challenging the award dated 27.07.2011 (Annexure P-1), passed by the learned Industrial Tribunal concerned (respondent No.1), wherethrough, the reference was passed in his favour. However, instead of granting re-instatement, he was awarded a meagre compensation of Rs.25,000/-.

2. Learned counsel for the petitioner, at the very outset, submits that he wishes to restrict his prayer only with regard to inadequate amount of compensation. He draws the attention of this Court towards the findings of the learned Industrial Tribunal concerned, wherethrough, it was specifically held that the petitioner/workman, had worked from May, 1998 to July, 2005, as part time Sweeper, with the respondent/Management. He further submits that once the learned Tribunal concerned, has concluded that there is



infraction of Section 25 (F) of the Industrial Disputes Act, 1947 (hereinafter to be referred as 'the Act of 1947'), and finds that the case of the petitioner is not suitable for re-instatement, at least, the petitioner should have been granted adequate compensation, considering the length of service, he had worked with the respondent/Management. However, this exercise was not done, and only a meagre compensation of Rs.25,000/- was granted to the petitioner/workman.

3. Learned counsel for the State/contesting respondent No.2, submits that the petitioner/workman, was employed with the respondent/Management, as a part time Sweeper, and he was required to work only an hour in a day, and he was paid salary of Rs.11/- per day, therefore, the compensation awarded by the learned Tribunal concerned, is in fact, adequate.

4. This Court has heard the submissions as made by the learned counsel for the parties, and has gone through the available record.

5. Though the respondent/Management, has admitted that the petitioner/workman, was appointed as a part time Sweeper. However, it is not disputed that he had worked from May, 1998 to July, 2005, and even, if the petitioner/workman, had to work an hour in a day with the respondent/Management, he had to spend a considerable time in to and fro to the office of the respondent/Management.

6. Therefore, considering the length of service rendered by the petitioner/workman, this Court finds that the compensation awarded to the petitioner/workman, is inadequate. Furthermore, this Court is of the considered opinion that the grievance of the petitioner/workman, can be redressed, by passing a *mandamus*, upon the respondent No.2/Management,



CWP-19321-2011

3

to pay compensation of Rs.1,50,000/-, to the petitioner/workman, within a period of four weeks, from the date of receipt of certified copy of this order, failing which, the petitioner/workman, would further be entitled for interest @ 9% per annum, till the realization of the award (supra).

7. Consequently, the instant writ petition is **disposed of**.

(KULDEEP TIWARI)
JUDGE

November 14, 2025
Manpreet

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No