



225

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

**CWP-10000-2016 (O&M)
Date of Decision : 10.11.2025**

KULWANT KAUR

.....Petitioner

VERSUS

**THE PRESIDING OFFICER INDUSTRIAL TRIBUNAL
AMRITSAR AND OTHERS**

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Baljit Singh, Advocate
for the petitioner.

Ms. Pratibha Bali, AAG, Punjab.

Mr. Bhushan Bhatia, Advocate
for respondents no.3 and 4 (through V.C.)

KULDEEP TIWARI, J.(Oral)

1. The petitioner fetching grievances, from an Award dated 03.08.2015 (Annexure P-8), filed instant writ petition, cast under Article 226/227 of the Constitution of India, whereby, her claim for reinstatement into the service with full back wages, has been declined, and has been awarded a lump sum amount of Rs.30,000/-, as one time settlement.

2. Learned counsel for the petitioner submits that Award (*supra*), has been challenged on the ground that although the termination of service of the petitioner-workman was found to be illegal, yet the relief of reinstatement into service was declined. Instead, only a meagre



compensation of Rs.30,000/- has been awarded, despite the fact that the petitioner-workman has rendered continuous service for 19 years with respondents-bank.

3. At the first instance, he laid emphasis on his submissions *qua* the relief of reinstatement. He submits that the petitioner-workman had categorically asserted in her claim statement that she had been working with the respondent-bank for the last 15 years, and apart from discharging duties as a Sweeper, she was also performing the functions of a Peon. It is further submitted that she was working from 9:00 a.m. to 5:00 p.m. on all working days, however, despite these facts, the relief of reinstatement was declined to the petitioner.

4. On the other hand, respondents no.3 and 4 (the Bank) had taken a preliminary objection before the learned Tribunal concerned, contending that the petitioner was never deputed temporarily on daily-wage basis as casual worker, to sweep the premises before opening the bank. Her daily work was to sweep the bank premises, and for which she required only 30-45 minutes, and not more than a hour per day. She was engaged as a casual sweeper for a specific work on daily wage basis, that too purely on temporary basis. Therefore, she was rightly denied the claim of reinstatement into service.

5. This Court has heard the rival submission, as made by learned counsel for the parties concerned and finds that the Award (*supra*), passed by the learned Tribunal concerned, requires no interference.



6. There is no evidence on record to establish that the petitioner was appointed as a Sweeper-cum-Peon, rather, its a clear case of no evidence. From a perusal of the pleadings of the respondents no.2 and 3 (the Bank), it transpires that the petitioner-workman used to works only for about 30-45 minutes in a day, that too for the purpose of cleaning the bank premises. In the absence of any positive evidence, or any efforts made by the petitioner-workman to summon or to produce any evidence from respondents no.2 and 3 (the Bank), this Court does not find any reason to interfere with the findings recorded in the impugned Award.

7. The next issue arises for consideration, as to whether, the compensation which was awarded to the petitioner is adequate or not. In this regard this court finds that the submission, as made by learned counsel for the petitioner carries merit. The petitioner worked for about 19 years with the respondents no.2 and 3-Bank, and once the learned Tribunal concerned, finds that her services were illegal and erroneously terminated, she is entitled for an adequate compensation.

8. Therefore, considering the age of the petitioner and her gender, who has worked for about 19 years without any complaint, and performed her duties diligently with respondent no.2 and 3 (the Bank), this Court deems it fit and appropriate, that a compensation to the tune of Rs.2.50 lakhs would be apt for the petitioner-workman.

9. Consequently, the impugned Award is interfered with, only to the extent of the petitioner-workman shall be entitled for a compensation of Rs.2.50 lakhs.



10. The said compensation shall be paid to the petitioner within a period of 04 weeks from the date of receipt of a certified copy of this order. Failing which the petitioner shall be entitled to interest at the rate of 9% per annum, from the date of this order till the date of actual realisation.

11. All pending application(s), if any, also stand **disposed** of accordingly.

November 10, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No