



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

CWP-841-2009 (O&M)

Date of Decision : **04.12.2025**

BATALA COOP. SUGAR MILLS, LTD. AND ANR.

.....Petitioners

VERSUS

PO, LABOUR COURT, GURDASPUR AND ANR.

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Rahul Sharma, Sr. Advocate assisted by
Mr. Shrome Garg, and Mr. Rahul Aggarwal, Advocates
for the petitioner.

Mr. Rajesh Punj, Advocate,
for respondent no.2.

KULDEEP TIWARI. J.(Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a challenge is thrown to Award dated 11.09.2008 (Annexure P-1), wherethrough, the reference was answered in favour of the workman, and he was directed to be reinstated in service with continuity of services, with the back wages to the extent of 25% from the date of his dismissal i.e. 29.03.1995 till actual reinstatement.

2. At the time of issuance of notice vide order dated 19.01.2009, the operation of the impugned Award was ordered to be stayed, and with the efflux of time, respondent no.2-workman, had attained the age of superannuation, and therefore, the provisions of Section 17-B of the Industrial Disputes Act, 1947, were not complied with.

3. During the pendency of the instant petition, respondent no.2-workman, had died, and now, he is being represented through his legal representatives. Hence, the issue of reinstatement does not survive as on today. With respect to reinstatement, this Court does not find any reason to adjudicate the legality of the impugned Award, however, the only issue remains for consideration, is with regard to the back wages to the extent of 25% as awarded to the petitioner, was justified or not.

4. Considering that only 25% of the back wages was Awarded to respondent no.2-workman, which comes to a meagre amount i.e. 96,802/- (approximately), therefore, at this stage, that too when, the Award was passed way back on 11.09.2008, this Court does not find any plausible reason to reopen the issue which attained quietus, with the efflux of time.

5. **Disposed of**, accordingly.

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

December 04, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

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