



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

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LPA-1122-2023 (O&M)
Decided on : 04.12.2025

RANJIT SINGH

...Appellant

Versus

PRESIDING OFFICER INDUSTRIAL TRIBUNAL AND ORS.

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI

PRESENT: Ms. Anamika Sheoran, Advocate for the appellant.

Ms. Sharmila Sharma, Advocate with
Mr. Jaspreet Singh, Advocate for respondent No. 1.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present appeal, the challenge is to the judgment dated 11.05.2023 by which, the civil writ petition No. 1263 of 2015 filed by the appellant has been dismissed by the learned Single Judge and the award dated 07.10.2013 (Annexure P-4) passed by the labour Court has been upheld.

2. Learned counsel for the appellant argues that though, the order terminating the services of the appellant was found to be invalid but, in lieu of granting the benefit of reinstatement in service, only an amount of compensation of Rs. 3000/- has been paid to the appellant, which is inadequate keeping in view the settled principle of law and therefore, the said compensation needs to be enhanced.

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3. Learned counsel for the respondents submits that keeping in view the fact that the jurisdiction of the labour Court was invoked after a long delay, hence, the benefit of reinstatement in service to the appellant could not have been granted and the labour Court in its wisdom has rightly granted the compensation of Rs. 3000/- which is perfectly valid and legal and the learned Single Judge, while passing the impugned order dated 11.05.2023 has rightly appreciated the award dated 07.10.2013 passed by the labour Court.

4. We have heard learned counsel for the parties and have gone through the case file with their able assistance.

5. One of the aspects, namely, that the termination of the services of the appellant at the hands of respondents was held to be bad by the labour Court, has not been challenged by the respondent. The said aspect has already attained finality. The question which arises for consideration before labour Court was that as to whether, the benefit of reinstatement in service is to be granted to the appellant or not; qua the said aspect, the labour court came to the conclusion that keeping in view the totality of facts and circumstances of the present case, the grant of the benefit of reinstatement in service to the appellant was not possible and benefit of compensation was to be granted which was assessed at Rs. 3000/- for a period of six years, which service the appellant had rendered with respondent.

6. The question posed before this Court is that whether the compensation to the tune of Rs. 3000/- is adequate or not keeping in view the settled principle of law as settled by a Division Bench of this Court in **LPA No. 1203 of 2021 titled Sukhbir Singh versus State of Haryana and others, decided on 01.03.2023**, wherein it has been held that the benefit of

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lump-sum compensation can be granted to employees who are not working against the regular post and there is difficulty in reinstating the services of such kind of employees with back-wages. The relevant paragraph nos.6 and 7 of the same are reproduced as under:-

“Para No. 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 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.

Para no.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 &

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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. ”

7. A bare perusal of the above reproduction would show that employees are entitled to a sum of Rs.50,000/- as compensation for each completed year of service and in the present case, the employee has worked for six years.

8. Learned counsel for the respondents has not been able to rebut the said settled principle of law as well as the period of service of 06 years rendered by the appellant with the respondent.

9. Keeping in view the totality of the circumstances and by applying the aforesaid settled principle of law in the facts and circumstances of the present case, where, the appellant-workman had worked for a period of six years, the appellant is entitled to a total compensation of Rs.3,00,000/- instead of Rs. 3000/-. Hence, the judgment dated 11.05.2023 passed by the learned Single Judge is hereby set-aside and the award dated 07.10.2013 (Annexure P-4) passed by the labour Court is accordingly modified to the



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extent that the appellant will be entitled to a total compensation of Rs. 3,00,000/- instead of Rs. 3000/-.

10. The present writ petition is disposed of in above terms.

11. Let the aforesaid amount of compensation of Rs. 3,00,000/- be paid to the appellant within a period of three months from the receipt of certified copy of this order, failing which, it will carry interest @ 6% per annum from the date of award till the date of payment.

12. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

04.12.2025

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Whether speaking/reasoned: Yes/~~No~~

Whether Reportable: ~~Yes~~/No