



CWP-25286-2016

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

(232)

CWP-25286-2016

Date of Decision : 19.11.2025

Jaswinder Pal Singh through his LRs

...Petitioner

Versus

Presiding Officer, Industrial Tribunal,
Ludhiana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARIPresent: Mr. H.S. Dhandi, Advocate
for LRs of the petitioner.Mr. Rahul Sharma, Sr. Advocate with
Mr. Aditya Narayan Arya Garg, Advocate
for respondents No.2 and 3.

KULDEEP TIWARI, J.(ORAL)

1. This is second round of litigation preferred by the petitioner/workman. Earlier, the petitioner has filed CWP-19858-1998, challenging the order dated 13.07.1998, passed by the Principal Secretary to Govt. of Punjab, under Section 25-D of the Industrial Disputes Act, 1947 (hereinafter to be referred as 'the ID Act'), whereby, permission was granted to Punjab State Hosiery and Knitwear Development Corporation Ltd., to close down its activities, w.e.f. 19.08.1998. The said permission was granted subject to the condition that every workman, who is likely to be affected by the closure, would be given the notice and paid the compensation in terms of Section 25-N of the ID Act. The said writ petition was dismissed, vide order dated 16.08.1999.



2. Perusal of the order (supra), reflects that retrenchment compensation was paid, during the course of the proceedings, before this Court, and the right of the petitioner(s) to seeks absorption in other department was kept open, to be adjudicated by the appropriate forum. Further, liberty was granted to the petitioner(s), that in case, they claim some more amount is due to them, they can take recourse in accordance with law.

3. Post the verdict (supra), the petitioner has filed the claim settlement, which ultimately, converted into the reference under Section 10 (1) (c) of the ID Act, and was sent for adjudication to the learned Tribunal concerned, on the following terms :-

“Whether workman Sh. Jaswinder Pal Singh Kohli after the closure of the Unit and on his retrenchment, the demand for his adjustment by employment in other department like other employees is justified? If yes, then in this respect to what relief and with what details, the workman is entitled to receive?”

4. The reference was answered against the petitioner/workman, through an award dated 13.09.2016 (Annexure P-8), passed by the learned Tribunal concerned, which was put to challenge by the petitioner/workman, by filing the instant writ petition.

5. Learned counsel for the petitioner has submitted that arrears of the increased salary has not been paid to the petitioner, and other benefits for which the petitioner is entitled, has also not been paid to him, by the respondent/department. Except this, no other argument was raised before this Court.

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



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and is of the considered opinion that the submission (supra), has no connection with the reference, which was adjudicated by the learned Industrial Tribunal concerned. In case, the petitioner still believes that some more amount is due towards the respondent/Management, he should have availed all other remedies, by filing apt motion, in accordance with law, as liberty was granted to him, by this Court, through verdict dated 16.08.1999. Under the reference, which was adjudicated, this Court cannot examine the right of the petitioner *qua* the disputed salary.

7. Since the petitioner through his LRs, is unable to point out any perversity or illegality in the impugned order, therefore, no interference is required by this Court. Consequently, the award dated 13.09.2016 (Annexure P-8), passed by the learned Tribunal is **upheld**, and the instant writ petition is **dismissed**.

(KULDEEP TIWARI)
JUDGE

November 19, 2025
Manpreet

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