IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

265 (04 cases) **CWP-20533-2018**
Date of Decision :10.02.2025

Lalita Rani **...Petitioner**

Versus

Presiding Officer, Industrial Tribunal and Labour Court, U.T. Chandigarh & others **...Respondents**

CWP-20771-2018

Anjana **...Petitioner**

Versus

Presiding Officer, Industrial Tribunal and Labour Court, U.T. Chandigarh & others **...Respondents**

CWP-20777-2018

Pawan Bhandari **...Petitioner**

Versus

Presiding Officer, Industrial Tribunal and Labour Court, U.T. Chandigarh & others **...Respondents**

CWP-20577-2018

Yogeshwar Sharma **...Petitioner**

Versus

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Presiding Officer, Industrial Tribunal and
Labour Court, U.T. Chandigarh & others ...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Mukesh Tomar, Advocate for
Mr. Arjun Sheoran, Advocate for the petitioner(s).

Mr. Kuldeep, Advocate for
Mr. Tribhuwan Singla, Advocate for respondent No.2.

Mr. Ashwani Talwar, Advocate for respondent No.3.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present petitions, the grievance being raised by the petitioner(s)-Workmen is that even though, their termination from service was found to be bad and against the provisions of Industrial Disputes Act, 1947 by the Tribunal but the Tribunal vide its order dated 28.03.2018 granted compensation of sum of Rs.60,000/- to the petitioner-Workmen to be paid by respondent No.2, whereas, the petitioner(s)-Workmen plea is that they should have been reinstated in service along with back wages.

2. Learned counsel appearing on behalf of respondent No.2 submits that respondent No.2-Institute has already been shutdown and is no longer in operation hence, the claim of the petitioner(s)-Workmen for reinstatement of their service is not maintainable and the lump sum compensation awarded to the petitioner(s)-Workmen by the Tribunal is perfectly valid and legal.

3. I have heard learned counsel for the parties and have gone through the record with their able assistance.

4. Once, keeping in view the facts and circumstances, the

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discretion was exercised by the Tribunal that rather than reinstatement in service of respondent No.2-Institute, a lump sum compensation will be beneficial to the petitioner(s)-Workmen, the same was granted by the Tribunal.

5. Further, the petitioner's claim for reinstatement cannot be allowed as the respondent-2-Institute is no longer in existence as the same has already been shut down which fact has gone unrebutted hence, the compensation awarded to the petitioner(s)-Workmen by the Tribunal is perfectly valid and legal. Hence, the present petitions are accordingly dismissed.

4. A photocopy of this order be placed on the file of connected case.

February 10, 2025 **(HARSIMRAN SINGH SETHI)**
aarti **JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No

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