



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(Sr. No. 286)

(1) CWP No. 21529-2019 (O&M)
Date of Decision : 03.03.2025

M/s A.V. Spinning Mills and others
...Petitioners

Versus

Presiding Officer, Employees Compensation Act, Circle-I, Panipat and
others
...Respondents

(2) CWP-28395-2023 (O&M)

M/s A.V. Spinning Mills and others
...Petitioners

Versus

Presiding Officer, Employees Compensation Act, Circle-I, Panipat and
others
...Respondents

(3) CWP-28402-2023 (O&M)

M/s A.V. Spinning Mills and others
...Petitioners

Versus

Presiding Officer, Employees Compensation Act, Circle-I, Panipat and
others
...Respondents

(4) CWP-28413-2023 (O&M)

M/s A.V. Spinning Mills and others
...Petitioners

Versus

Presiding Officer, Employees Compensation Act, Circle-I, Panipat and
others
...Respondents

CWP No. 21529-2019 (O&M) and
other connected cases

2025:PHHC:029990



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(5)

CWP-28460-2023 (O&M)

M/s A.V. Spinning Mills and others

...Petitioners

Versus

Presiding Officer, Employees Compensation Act, Circle-I, Panipat and
others

...Respondents

(6)

CWP-28491-2023 (O&M)

M/s A.V. Spinning Mills and others

...Petitioners

Versus

Presiding Officer, Employees Compensation Act, Circle-I, Panipat and
others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Ramandeep Kaur, Advocate and
Mr. Harkirat Singh, Advocate for
Mr. Vikram Singh, Advocate for the petitioners in all cases.

Mr. Sharan Sethi, Addl. A.G., Haryana.

Mr. B.S. Sudan, Advocate for respondent No. 2
in CWP-28413-2023.

Harsimran Singh Sethi J. (Oral)

1. In the present bunch of petitions, the grievance being raised by the petitioners is qua the ex-parte Award 10.04.2017 (Annexure P-1) passed by authority concerned under Employee's Compensation Act, 1923 as well as the rejection of the application filed by the petitioners for setting-aside of the said ex-parte Award.



2. Learned counsel for the petitioners submits that the same issue came up for consideration before the Co-ordinate Bench in CWP No. 10151 of 2019, which has been decided on 30.11.2023, wherein, by imposing a cost of ₹50,000/- upon the petitioners, the ex-parte Award had been set-aside with liberty given to the parties to appear before the Authorities concerned under the Employee's Compensation Act for adjudication of the respective claims. Learned counsel for the petitioners submits that the petitioners are also ready to pay a sum of ₹50,000/- to the respondent-employee as cost.

3. Learned counsel for the respondents concedes the factum that as for the cost imposed under CWP No. 10151 of 2019, the cost had been imposed upon the petitioners to be paid to the respondent-employee but submits that those writ petitions were filed in the year 2019 whereas, the present petitions have been filed in the year 2023 respectively, hence, the cost imposed in present case should be more than before.

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

5. The issue with regard to setting-aside of the ex-parte Awards has already been decided by the Co-ordinate Bench while passing order in CWP No. 10151 of 2019 wherein the employee had been given a cost of ₹50,000/- so as to compensate the said employee.

6. In the present petitions, the employees are seeking more cost on the ground that the present writ petitions were filed in the year 2023. It may be noticed that the CWP No. 10151 of 2019, which was filed in the year 2019, was decided in November, 2023, hence, there is no valid justification



for granting the benefit of enhanced cost to the respondent-employees as compared to the one granted by the Co-ordinate Bench while passing order in CWP No. 10151 of 2019.

7. Petitions are also disposed of in terms of order passed by the Co-ordinate Bench in CWP No. 10151 of 2019. Parties are directed to appear before the authorities on 07.04.2025.

8. The compensation be paid either to the employee or to the legal heirs of the employee who are contesting the claim.

9. A photocopy of this order be placed on the file of connected cases.

March 03, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No