

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

**Date of Decision : 25-03-2025**

1. **CWP-6677-2016 (O&M)**

**M/S PEARL GLOBAL LTD. ....Petitioner**  
**VERSUS**

**THE PRESIDING OFFICER , INDUSTRIAL TRIBUNAL-CUM-  
LABORU COURT-II, GURGAON AND ANOTHER**

**.....Respondent(s)**

2. CWP-6680-2016 (O&M)

**M/S PEARL GLOBAL LTD. ....Petitioner**  
**VERSUS**

**THE PRESIDING OFFICER , INDUSTRIAL TRIBUNAL-CUM-  
LABORU COURT-II, GURGAON AND ANOTHER**

**.....Respondent(s)**

3. CWP-6689-2016 (O&amp;M)

**M/S PEARL GLOBAL LTD. ....Petitioner**  
**VERSUS**

**THE PRESIDING OFFICER , INDUSTRIAL TRIBUNAL-CUM-  
LABORU COURT-II, GURGAON AND ANOTHER**  
**.....Respondent(s)**

**4. CWP-6690-2016 (O&M)**

**M/S PEARL GLOBAL LTD. ....Petitioner**  
**VERSUS**

**THE PRESIDING OFFICER , INDUSTRIAL TRIBUNAL-CUM-  
LABORU COURT-II, GURGAON AND ANOTHER**

**.....Respondent(s)**

5. **CWP-6706-2016 (O&M)**

**M/S PEARL GLOBAL LTD. ....Petitioner**  
**VERSUS**

**THE PRESIDING OFFICER , INDUSTRIAL TRIBUNAL-CUM-  
LABORU COURT-II, GURGAON AND ANOTHER**

**.....Respondent(s)**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Vikas Mohan Gupta, Advocate  
for the petitioner in all the cases.

Mr. D.S Sandhu, Advocate  
for respondent No.2.

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**HARSIMRAN SINGH SETHI, J. (Oral)**

1. Present bunch of five writ petitions involve common question of law in the context of common set of facts and thus they are being decided by a common order.

2. Mr. Vikas Mohan Gupta, Advocate appeared and entered into appearance by filing his Vakalatnama in all the five cases. The same is taken on record.

3. Learned counsel for the petitioner in all the cases submits that though the award passed by Labour Court has been challenged wherein the benefit of reinstatement in service along with full backwages has been granted to the Workmen, but the grievance of the petitioner is only against the grant of backwages. For the sake of convenience, award impugned in CWP No.6677 of 2016, which award is dated 07.10.2015 (Annexure P-20) will be taken into consideration.

4. Learned counsel for the respondents submits that the claim of the petitioner qua the benefit of full backwages to the Workmen in all the cases be declined as the award is perfectly valid.

5. I have heard learned counsel for the petitioner and have gone through the records of the present bunch of cases with his able assistance.

6. Learned counsel for the petitioner in all the cases submits that the only grievance of the petitioner qua the award impugned is with regard to the grant of backwages, which benefit given to the Workmen should be modified as the respondents-Workmen were gainfully employed.

7. On being asked to point out any evidence being brought on record which could show that the respondent-Workmen were gainfully employed, learned counsel for the petitioner has not been able to point out any such fact in support of this case being decided by this order.

8. From the pleadings, when the claim was raised by the respondent No.2-Workmen in all the writ petitions, it was duly mentioned that the Workmen in all the cases have tried to find a job but were not able to get any job and are thus unemployed. Though, in the reply, it was mentioned by the petitioner that the respondent No.2-Workmen in all the cases were gainfully employed but only a bald statement was made in this regard without any evidence shown or the fact stated as to how the said statement has been made by the petitioner that the respondent No.2-Workmen in all the cases were gainfully employed. Even in the rejoinder, the respondent No.2-Workmen in all the cases have raised the plea that they were not gainfully employed after being terminated unlawfully.

9. Keeping in view the said fact which has come on record, especially that petitioner has not been able to point out as to how the respondent No.2-Workmen in all the cases were gainfully employed after termination of their services, the grant of benefit of full backwages by the

Labour court vide its awards impugned, cannot be treated as arbitrary or illegal.

10. Once, the termination from services of the respondent No.2- Workmen in all the cases were held to be bad coupled with the fact that they were not gainfully employed, the grant of full backwages needs no interference at the hands of the petitioner hence, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

11. Present bunch of petitions stand dismissed.

12. Pending application, if any, also stands disposed of.

13. Photocopy of this order be placed on the files of other connected cases.

25-03-2025

Sapna Goyal

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

NOTE: Whether speaking: YES  
Whether reportable: NO