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

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Date of decision : 27.08.2025

Rakesh

... Appellant

Versus

The Presiding Officer, Industrial Tribunal-cum-Labour Court, Rohtak and
others

.. Respondents

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present:- Dr. Pankaj Nanhera, Advocate for the appellant.

Mr. Deepak Bhardwaj, Addl.A.G., Haryana.

Anupinder Singh Grewal, J. (Oral)

CM-4850-LPA-2025

1. This is an application seeking condonation of delay of 32 days in preferring the appeal.
2. Learned counsel for the applicant/appellant submits that the applicant is a poor person and was not aware about the period of limitation. He, therefore, submits that the delay is not intentional and may be condoned.
3. Issue notice in the application to the non-applicants/respondents.
4. At the asking of the Court, Mr. Deepak Bhardwaj, Addl. A.G., Haryana, accepts notice on behalf of respondents No.2 & 3 and submits that sufficient cause is not made out and mere ignorance of law cannot be an excuse to condone the period of limitation.
5. Heard.



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6. The applicant/appellant is stated to be a poor person. The delay does not appear to be deliberate or intentional. It would be in the interest of justice if the delay is condoned and the appeal be heard and decided on merits.

7. Consequently, the application is allowed and delay of 32 days in preferring the appeal is condoned.

Main case

1. The appellant has challenged the judgment dated 03.05.2025 passed by the Single Bench whereby the writ petition preferred by the appellant has been disposed of with a direction that he would be paid a compensation of Rs.2 lakhs as full and final settlement of his claims.

2. Learned counsel for the appellant submits that the services of the appellant, who had worked for about 04 years 08 months as a Water Pump Operator with the respondent-Department, were illegally terminated in violation of the provisions of the Industrial Disputes Act, 1947 and therefore, he is entitled to reinstatement with continuity in service. In the alternative, he submits that the compensation of Rs.2 lakhs awarded by the Single Bench is on the lower side, especially when the appellant had worked for about 04 years 08 months with the respondent-Department. It has been erroneously observed by the Single Bench that the appellant had worked only for 3 ½ years although he had worked for about 04 years 08 months having worked w.e.f. 01.01.2000 to 31.08.2004 as noticed in para 2 of the judgment of the Single Bench. In support of his submissions, he has relied upon the judgment of the Coordinate Bench of this Court in the case of ***Sukhbir Singh versus State of Haryana and others***, bearing LPA No.1203 of 2021, decided on 01.03.2023.



3. Learned State counsel, however, submits that the appellant had been granted an adequate compensation of Rs.2 lakhs which does not warrant any interference by this Court.

4. Heard.

5. The appellant is stated to have worked with the respondent/Department w.e.f. 01.01.2000 to 31.08.2004 whereafter his services are stated to have been terminated. He had raised an industrial dispute before the Labour Court, which vide award dated 09.05.2018 (Annexure P-4) had answered the reference against the appellant and held that he had not worked for 240 days in the 12 months preceding his termination. Thereafter, the appellant had preferred the writ petition whereby the Single Bench had set aside the award of the Labour Court and had directed that compensation of Rs.2 lakhs be paid towards full and final settlement to him instead of reinstatement with continuity in service.

6. We have perused the judgment of the Single Bench wherein reliance was placed on the log book (Mark A1) in which the presence of the appellant had been recorded and it was also signed by the superior authority, which indicates that the appellant had indeed worked with the respondent-Department for 04 years 08 months i.e., w.e.f. 01.01.2000 to 31.08.2004. After having arrived at the conclusion that the appellant had indeed worked with the respondent-Department for over 240 days prior to his termination and that his services were illegally terminated, the Single Bench had directed that compensation of Rs.2 lakhs be paid as full and final settlement. We do not find any illegality in the judgment of the Single Bench to the extent wherein it has been held that the appellant had worked with the respondent-Department for



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over 240 days and therefore, he was entitled to compensation. However, the Single Bench has granted compensation of Rs.2 lakhs after noticing that the appellant had worked for 3 ½ years but the appellant had infact worked for about 04 years 08 months w.e.f. 01.01.2000 to 31.08.2004 which has also been noticed by the Single Bench in its judgment at para No.2. This has perhaps escaped notice of the Single Bench in the operative part of the judgment, wherein it has been inadvertently recorded that the appellant had worked for a period of 3 ½ years.

7. The Single Bench while computing the compensation had arrived at a figure of Rs.2 lakhs by relying upon the judgment passed by the Coordinate Bench of this Court in the case of ***Sukhbir Singh (supra)***. However, a careful perusal of the judgment in the case of ***Sukhbir Singh (supra)*** indicates that the appellant therein had worked for more than 05 years and compensation of Rs.2,50,000/- was directed to be paid to him. The relevant extract of the judgment is reproduced hereunder:-

“6. xxxx

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.

7. The Apex Court in ***Haryana Urban Development Authority Vs. Om Pal, (2007) 5 SCC 742*** had 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 & another Vs. Gitam Singh, 2013 (1) SCR 679***, the said view was followed while noticing that the service was of



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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.”

8. Therefore, the appellant, admittedly having worked for about 04 years and 08 months, which is close to 05 years, would also be entitled to compensation of Rs.2,50,000/- in terms of the judgment in the case of ***Sukhbir Singh(supra)***.

9. Consequently, the judgment of the Single Bench is modified to the extent that compensation of Rs.2,50,000/- would be payable to the appellant as full and final settlement and the same shall be paid within a period of 02 months from the date of receipt of certified copy of this order, failing which, the appellant would be entitled to interest @ 8% per annum from the date of award till the date of actual payment.

10. The Letters Patent Appeal stands disposed of accordingly. All miscellaneous application(s), if any, shall also stand disposed of accordingly.

(ANUPINDER SINGH GREWAL)
 JUDGE

(DEEPAK MANCHANDA)
 JUDGE

August 27, 2025
 sonia gugnani

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