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

CWP-5665-2011(O&M)
Date of Decision : **05.12.2025**

THE JATOLI COOPERATIVE CREDIT & SER, SOC. LTD.
.....Petitioner

VERSUS

PRESIDING OFFICER, LABOUR COURT, FARIDABAD & ORS
.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. U.K.Agnihotri, Advocate with
Mr. A.K.Agnihotri, Advocate,
for the petitioner-society.

Mr. Shiv Kumar, Advocate,
for respondent no.3.

KULDEEP TIWARI. J.(Oral)

1. The petitioner-society fetching grievance from an Award dated 31.01.2011 (Annexure P-2), passed by respondent no.1, has approached this Court under Article 226/227 of the Constitution of India, wherethrough, the reference was answered in favour of respondent no.3-workman, granting him the relief of reinstatement alongwith 50% back wages from the date of filing the demand notice.

2. Respondent no.3-workman, undisputedly, worked for three years with the petitioner-society. From a perusal of the interim orders, it reflects that no stay was granted by this Court *qua* the operation of the

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impugned Award, and despite that, no efforts were made by respondent no.3-workman, to get the impugned Award executed. The said act on the part of workman clearly shows that he does not wish to get reinstatement. Therefore, the only issue remains for adjudication before this Court, is, with regard to the entitlement of respondent no.3-workman, for 50% of back wages, from the date of demand notice.

3. This Court, further observes that, surprisingly, without there being any stay for some time, wages under the provisions of Section 17-B of the Industrial Disputes Act, 1947, have already been paid to respondent no.3-workman.

4. At this stage, considering that since the respondent no.3-workman had rendered his services to the petitioner-society, he deserves to be compensated suitably. Before proceeding further on the issue, it would be expedient to refer to the decision rendered by a Coordinate Bench of this Court in CWP-11057-2001 (**State of Haryana versus Surjeet and another**), decided on 30.07.2025, wherein, for each preceding year, in which the workman had worked, he was held entitled to Rs.50,000/-, as lump sum compensation. The relevant part thereof, is extracted hereinafter :-

“6. As per the settled principle of law settled by the Division Bench of this Court in **LPA No.1203-2021** titled as Sukhbir Singh vs. State of Haryana and others decided on 01.03.2023 , an employee is entitled for compensation in lieu of benefit of reinstatement in service. Relevant paragraphs of the said judgment are as under:-

6. Resultantly, once the workman had completed 240 days and apparently had worked for a period spanning

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more than 5 ½ years, we are of the considered opinion that dispensing of his service before his contractual period came to an end would entitle him for the statutory protection which would be evident from the award of the Labour Court. However, keeping in view the fact that at this point of time, it would 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 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 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 back wages of 50% which was granted and accordingly, modified.”

7. A bare perusal of the above reproduction would show that for each completed year, instead of reinstatement, a workman can be paid compensation to the tune of Rs.50,000/ for each completed year. Keeping in view the fact that in the present case, respondent No.1-workman had worked for a period of more than 06 years, he becomes entitled for sum of Rs.3,00,000/- on the said account.”

5. In conspectus of the factual position, recorded hereinabove, coupled with the *ratio* laid down in the decision (*supra*), as also the length of the service, this Court is of the considered view that the dispute involved in the instant matter, can be given quietus by directing the petitioner-society to pay a lump sum compensation of Rs.1,00,000/- (one

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lakh), for each year, respondent no.3-workman, worked with the petitioner-society, which comes to Rs.3,00,000/- (three lakhs), to the petitioner-workman.

6. **Ordered** accordingly.

7. The aforesaid compensation amount of Rs.3,00,000 (three lakhs), shall be remitted to the respondent no.3-workman, within a period of three months from the date of receipt of a certified copy of this order. In the event of default, respondent no.3-workman, shall be entitled to interest @ 9% per annum from the date of the impugned Award till the date of actual realisation.

8. **Disposed of.**

9. All pending application(s), if any, also stand **disposed** of accordingly.

December 05, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No