



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115+288

CM-20842-CWP-2024 in/and
CWP-8725 of 2022 (O&M)
Date of decision : 07.01.2025

INDERJIT SINGH

..... Petitioner

VERSUS

INDUSTRIAL TRIBUNAL, PATIALA AND ORS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Vikas Singh, Advocate with
Ms. Anamika Sheoran, Advocate
for the petitioner.

Ms. Shruti, AAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the grievance of the petitioner is that though in the award dated 14.09.2021 (Annexure P-1), the termination of the services of the petitioner was found to be bad by the Tribunal but, the benefit of reinstatement along with full back wages has not been extended to him and only Rs.35,000/- has been ordered to be paid as a compensation alongwith interest.

2. Learned counsel for the petitioner submits that petitioner should have been reinstated in service with continuity and full back wages rather than only awarding compensation.

3. On being asked to point out as to whether, the Labour Court had the jurisdiction to grant the compensation keeping in view the settled



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principle of law, learned counsel appearing on behalf of the petitioner very fairly submits that the discretion exists with the Labour Court to grant the compensation in lieu of the reinstatement but submits, the said discretion should not have been exercised in the facts and circumstances of the present case.

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

5. Once, it is a conceded fact that the Labour Court while granting the relief had a discretion to award compensation in lieu of the reinstatement, the said discretion once used, cannot be interfered with unless and until, the said discretion is perverse to any evidence which has come on record or is not at all warranted in the facts and circumstances of the present case. In the present case, no exceptional circumstances have been brought to the notice of this Court so as to modify the award of the Labour Court dated 14.09.2021 (Annexure P-1) awarding compensation of Rs.35,000/- alongwith interest with that of reinstatement.

6. Keeping in view the above, no ground is made out for any inference by this Court and present petition is accordingly dismissed.

7. Pending applications, if any, also stand disposed of accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

07.01.2025
Rimpal

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