



**CWP-26048-2022 and
CWP-26084 of 2022**

:1:

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

293 (2 cases)

CWP-26048-2022 (O&M)

NU-TECH DAIRY ENGINEER (P) LTD.

..... Petitioner

VERSUS

SUKHWINDER KUMAR AND ORS.

..... Respondents

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CWP-26084 of 2022 (O&M)

Date of decision : 07.01.2025

NU-TECH DAIRY ENGINEER (P) LTD.

..... Petitioner

VERSUS

LABH SINGH AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. J. S. Cooner, Advocate
for the petitioner in both cases.

Mr. Sikandh Mehta, Advocate for
Mr. Pankaj Bali, Advocate
for the respondents.

Harsimran Singh Sethi, J. (Oral)

1. In the present bunch of petitions, the grievance being raised by the petitioner is that at the time of the relieving of the respondents-employees from service, they were working with respondent No.3 and not with the petitioner-company and therefore, the compensation awarded by the Tribunal vide order dated 31.05.2022 (Annexure P-1) should only be qua respondent No.3-firm, where the respondents-employees as worked at the

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time of termination of their services and not qua the petitioner-firm.

2. I have heard learned counsel for the parties and have gone through the case file with their able assistance,

3. It has already come on record that the petitioner-firm as well as respondents No.2 and 3-firms belongs to the same family. All the three units were being run by the same man initially and the employees were being transferred from one unit to another and it is a conceded fact, that the respondents-employees had also worked with the petitioner before being transferred to another unit i.e. respondents No.2 and 3-firms being run by the brother of the owner of petitioner-firm. It is also a conceded position that the owners of the petitioner-firm as well as respondents No.2 and 3-firms are brothers.

4. Further, the Tribunal has directed that the compensation awarded in favour of the employees is to be paid jointly and severally along with interest. In case, the petitioner has any claim against the other unit for recovery of a sum directed to be paid to the respondent-employee, after paying the amount to the respondent-employee, the same can be recovered by the petitioner-firm in case the liability exists with respondent No.3. The respondents-employees cannot be made to run from pillar to post to claim the amount from one or other firm once, the responsibility has been fixed by the Tribunal jointly and severally.

5. Keeping in view the above, no ground for interference by this Court is made out against the award dated 31.05.2022 (Annexure P-1) and present writ petition is accordingly dismissed.

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6. Civil miscellaneous application pending, if any is also disposed of.
7. A photocopy of this order be placed on the connected case file numbered above.

(HARSIMRAN SINGH SETHI)
JUDGE

07.01.2025
Rimpal

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