



112 (3 cases)

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

Date of decision: February 24, 2025

1. LPA-3167-2024 (O&M)

Om Parkash

....Appellant

versus

M/s Raghuveer Private Limited and another

....Respondents

2. LPA-3414-2024 (O&M)

Satya Pal Yadav

....Appellant

versus

M/s Raghuveer Private Limited and another

....Respondents

2. LPA-3415-2024 (O&M)

Gautam Kumar

....Appellant

versus

M/s Raghuveer Private Limited and another

....Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

Present: Mr. Ashwani Bakshi, Advocate for the appellant(s).

SUDHIR SINGH, J. (ORAL)

CM-8405-LPA-2024 IN LPA-3414-2024

For the reasons stated in application, same is allowed. Delay of
26 days in re-filing the appeal is condoned.

CM-8407-LPA-2024 IN LPA-3415-2024

**LPA-3167-2024 (O&M), LPA-3414-2024 (O&M) AND
LPA-3415-2024 (O&M)**

For the reasons stated in application, same is allowed. Delay of 24 days in re-filing the appeal is condoned.

Main cases (O&M)

Vide this common order, we shall be disposing of the above noted three cases arising out of the common order dated 09.09.2024 passed in CWP-2271-2014 and other connected cases. However, for the facility of reference, the facts are taken from LPA-3167-2024.

2. Challenge in the instant intra Court appeal is to the order dated 09.09.2024 passed by the learned Single Judge, whereby, the writ petition (CWP-2235-2014) filed by respondent No.1/Management, was disposed of, and it was directed to pay the appellant/Workman a sum of Rs.2 lakh towards full and final compensation as lump sum amount.

3. Before the learned Single Judge, respondent No.1/Management had sought setting aside of the award dated 13.05.2013 (Annexure P-10 with CWP-2235-2014) passed by the Labour Court, whereby, the appellant/Workman was held entitled to reinstatement in service with continuity of service with 25% back-wages of the last drawn salary from the date of his termination till reinstatement.

4. Learned Single Judge, after taking into consideration the rival contentions, has disposed of the writ petitions filed by respondent No.1/Management, as noticed above.

5. Learned counsel for the appellant has argued that while passing the impugned order, the learned Single Judge, has awarded a meagre amount of compensation of Rs.2 lakh, while totally ignoring the mandatory provisions of the Industrial Disputes Act, 1947 (for short 'the Act of 1947'). It is also

argued that before the learned Single Judge, the stand of counsel for respondent No.1/Management was that the Unit of the Management had already been closed whereas, the appellant/Workman had produced before the learned Single Judge the electricity bills of respondent No.2/Management, whereby it stood established that the Unit was still working.

6. Additionally, it is argued that in compliance of the orders passed by the Labour Court, respondent No.1/Management has deposited the wages of the appellant/Workman in terms of Section 17(2) of the Act of 1947, but the same have not been released to the appellant/Workman, till date.

7. We have heard the learned counsel for the appellant(s) and have also gone through the file of the case, including the impugned order passed by learned Single Judge.

8. A perusal of the order passed by the learned Single Judge would show that learned Single Judge has noticed that the appellant/Workman was retrenched in the year 2001 and that the award was passed by the Labour Court in 2013. The learned Single Judge has further observed that keeping in view various judgments of the Hon'ble Supreme Court and to put the litigation to rest and further considering the last drawn pay of the Workman; efflux of time; closure of manufacturing unit of the respondent-Management, and payment of back-wages and non-compliance of Section 17(B) of the Act of 1947, respondent No.1/Management was directed to pay a sum of Rs.2 lakh as lump sum payment to each of the Workmen, except Puran Chand and Ved Kumar (who were awarded Rs.1 lakh).

9. We find that in view of the long span of time, the order of compensation passed by the learned Single Judge, cannot be said to be illegal

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LPA-3415-2024 (O&M)**

or perverse. The Labour Court had ordered reinstatement of the appellant/Workman, but keeping in view the fact that the award was passed in 2013 in respect of the services of the appellant/Workman, who had been retrenched in 2001, we find that the order passed by the learned Single Judge does not require any interference.

10. Coming to the contention of learned counsel for the appellant/Workman (in LPA-3167-2024) that the wages deposited by respondent No.1/Management before the Labour Court in compliance of Section 17(B) of the Act of 1947, have not been released, we give liberty to the appellant/Workman (in LPA-3167-2024) to move an appropriate application before the Labour Court for release of said amount, if already not released in his favour.

11. In view of the above, we do not find any illegality in the impugned order, which may warrant any interference by this Court.

12. Hence, all the appeals are dismissed, except the liberty aforesaid granted to the appellant in LPA-3167-2024.

13. Pending application(s), if any, shall also stand disposed of.

**(SUDHIR SINGH)
JUDGE**

**(SUKHVINDER KAUR)
JUDGE**

February 24, 2025
mahavir

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