

2025.PHHC:049918-DB



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

LPA-3258-2024 (O&M)

Reserved on: 02.04.2025

Pronounced on: 08.04.2025

MS. NEELAM

.....Appellant

Versus

M/S EXIDE INDUSTRIES LTD.

.....Respondent

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

Present:- Mr. Aryan Sharma, Advocate and
Mr. Vishesh Jain, Advocate for the appellant.

Mr. Shashank Sharma, Advocate and
Mr. Arjun Singh, Advocate for the respondent.

SUDHIR SINGH, J.

Challenge in the instant intra Court appeal is to the order dated 04.11.2024 passed by the learned Single Judge, whereby the writ petition filed by the respondent-Management was disposed of by directing them to pay the petitioner a sum of Rs.3,00,000/- as a lump sum compensation.

2. Before the learned Single Judge, the respondent-Management had laid challenge to the award dated 27.04.2025 (Annexure P1 with the writ petition), whereby the reference had been answered in favour of the workman. The learned Single Judge, considering the respective stands of the learned counsel for the

parties, has awarded the aforesaid amount of compensation after considering the factual aspect of the matter.

3. Learned counsel for the appellant has vehemently argued that vide award dated 27.04.2025, the appellant was held entitled to re-instatement in service with full backwages @ Rs.2,500/- per month with continuity in service and all other service benefits. It is further argued that once the Labour Court had found that the termination of the services of the workman was against the provisions of the Industrial Disputes Act, 1947 (for short 'the Act'), the grant of compensation of Rs.3,00,000/- by the learned Single Judge, is very much on the lower side. It is also argued that in view of the factum of the appellant having worked with the respondent-Management for nearly 4 years and further the fact that the services of the workman were illegally terminated by the respondent-Management, the appellant is entitled to a reasonable compensation. It is also argued that while passing the impugned order, the learned Single Judge has not taken into consideration the financial hardship, physical and mental torture suffered by her for the wrongful action of the respondent-Management.

4. We have heard the learned counsel for the appellant and have also gone through the record of the case, including the impugned order passed by the learned Single Judge.

5. It is not disputed that the services of the appellant were terminated on 02.06.1998. The award was passed by the Labour Court on 27.04.2005. The learned Single Judge, has taken into consideration that after the lapse of 26 years from the date of termination and 19

years after the passing of the impugned award, the appellant could not be reinstated and, thus, has awarded the aforesaid compensation to her.

6. We find that during the pendency of the writ petition, the respondent-Management had complied with the provisions of Section 17-B of the Act and as has been indicated in the impugned order, the appellant has been paid an amount of Rs.5,85,000/- in this regard. The order passed by the learned Single Judge, has taken into consideration all the aspects of the matter and, therefore, we do not find any patent illegality or perversity in the impugned order.

7. No other point has been urged.

8. In view of the above, finding no merit in the present appeal, the same is hereby dismissed.

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

[SUDHIR SINGH]
JUDGE

[SUKHVINDER KAUR]
JUDGE

08.04.2025

himanshu

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No