

2025:PHHC:034896-DB



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

1. LPA-25-2025 (O&M)

GURDEEP SINGH SAINI

.....Appellant

Versus

MARUTI SUZUKI INDIA LTD., GURGAON & ANR.

.....Respondents

2. LPA-27-2025 (O&M)

DULI CHAND PATHAK

.....Appellant

Versus

MARUTI SUZUKI INDIA LTD., GURGAON & ANR.

.....Respondents

3. LPA-28-2025 (O&M)

MANOJ KUMAR

.....Appellant

Versus

MARUTI SUZUKI INDIA LTD., GURGAON & ANR.

.....Respondents

4. LPA-30-2025 (O&M)

ISHWAR DAYAL

.....Appellant

Versus

MARUTI SUZUKI INDIA LTD., GURGAON & ANR.

.....Respondents

5. LPA-32-2025 (O&M)

JITENDER KUMAR SHARMA

.....Appellant

Versus

MARUTI SUZUKI INDIA LTD., GURGAON & ANR.

.....Respondents

6. LPA-44-2025 (O&M)

DEVENDER KUMAR

.....Appellant

Versus

MARUTI SUZUKI INDIA LTD., GURGAON & ANR.

.....Respondents

7. LPA-45-2025 (O&M)

RAJVIR GIRI

.....Appellant

Versus

MARUTI SUZUKI INDIA LTD., GURGAON & ANR.

.....Respondents

**Reserved on:03.03.2025
Pronounced on: 12.03.2025**

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

Present:- Mr. R.K. Malik, Sr. Advocate with
Mr. Samrat Malik, Advocate and
Mr. Ankur Sheoran, Advocate for the appellants.

SUDHIR SINGH, J.

This order shall dispose of the above noted batch of the 7
LPAs, arising out of the order dated 09.12.2024 passed by the learned
Single Judge.

2. Vide the aforesaid order passed in CWP-6762-2024

(leading case), the learned Single Judge, while disposing of a batch of 41 writ petitions, has directed the payment of 20% over and above the awarded compensation of Rs.5 Lakhs, thereby holding the workman entitled to an amount of Rs.6 Lakhs. The Management was directed to pay the said amount within a period of 8 weeks failing which, the said amount would carry interest @ 9% per annum.

3. The factual position as noticed by the learned Single Judge, is that a dispute arose between the Management and the workmen which led to the dismissal of many of them on the ground of misconduct. A few of them were retrenched after conducting the enquiry whereas, few others, without any such enquiry. Upon a reference, the matter came to be adjudicated by the Labour Court, which had held the workmen entitled to the compensation varying from case to case.

4. After noticing the rival contentions of the parties and various judgments of the Hon'ble Supreme Court, the learned Single Judge has disposed of the aforesaid writ petitions, as noticed above. The appellants-workmen still dissatisfied have preferred the instant appeals.

5. Learned Senior counsel appearing for the appellants has vehemently argued that the order passed by the learned Single Judge, has rather reduced the compensation awarded by the Labour Court. It is further contended that if the award passed by the learned Labour Court had been upheld, the appellants would have received double the amount of compensation i.e., the original amount of compensation along with interest @ 9% per annum from the date of the award till

the passing of the impugned order by the learned Single Judge. It is further argued that keeping in view the fact that the appellants had been retrenched in the year 2000, they should have been paid an equitable compensation. Accordingly, a prayer has been made for setting aside the impugned order passed by the learned Single Judge.

6. We have heard the learned counsel for the appellants and have also gone through the impugned order passed by the learned Single Judge.

7. The only question that arises for consideration by this Court is whether the order passed by the learned Single Judge, requires any interference.

8. While passing the impugned order, after quoting the factual matrix of the case and taking into consideration the fact that more than 24 years had elapsed since the retrenchment of the workmen, the learned Single Judge has granted 20% over and above the compensation awarded by the Labour Court. The relevant extract would read as under:-

“11. In the case in hand, the workman concededly had worked from October 1986 to November 2000 means he had spent 14 valuable years of his life with the Management. He was terminated without conducting inquiry. A period of 24 years from the date of his termination has elapsed. He has already attained age of superannuation.

12. The Labour Court has recorded

factual findings and there is no patent illegality in those findings, warranting interference of this Court. The Labour Court has passed a speaking and reasoned order. Writ petitions filed by both sides are hereby dismissed, however, question of interest is considered hereinafter.

13. The lump sum compensation was awarded in 2013. Neither Management paid awarded compensation nor the employee attempted to get it released. There are few cases in this bunch of petitions where Labour Court has not awarded interest though in few cases interest @ 9 per annum has been granted. Considering the act and conduct of both sides, instead of granting interest @ 9% per annum, I find it appropriate to grant 20% over and above the awarded compensation e.g., a workman who has been awarded Rs.5,00,000/- would be entitled to Rs.6,00,000/-

9. Though we find that the observation of the learned Single Judge as regards the efflux of time and the law laid down by the Hon'ble Supreme Court on the issue, does not require any interference, yet we find force in the submission of the learned Senior counsel that had the impugned award of the Labour Court been upheld, the appellants would have received more compensation than the one enhanced by the learned Single Judge.

10. Considering the said limited prayer of the learned Senior counsel for the appellants, we find that there is no necessity to issue notice to the respondent-Management. It may also be noticed that the appellant(s)-workmen had been fighting the legal battle for the last more than 14 years and in case the present proceedings are further lingered on, they will suffer the protracted litigation for another long period.

11. Thus, keeping in view the aforesaid limited submission of the learned Senior counsel, we dispose of the present batch of the appeals with the direction that the enhanced compensation awarded by the learned Single Judge, will carry interest @ 6% per annum.

12. With the observations, all the appeals are disposed of.

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

**[SUDHIR SINGH]
JUDGE**

**[SUKHVINDER KAUR]
JUDGE**

12.03.2025

himanshu

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No