



CWP-1456-2020

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

(254)

CWP-1456-2020

Date of Decision : 16.03.2026

Pawan

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Suraj Mal Bhatia, Advocate
for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

KULDEEP TIWARI, J. (ORAL)

1. The legality of award dated 01.07.2019 (Annexure P-6), as passed by learned Industrial Tribunal, Rohtak (respondent No.2), is put to challenge by the petitioner/workman, wherethrough, the relief of reinstatement was declined. However, the petitioner/workman was granted compensation instead of reinstatement, which was quantified as Rs.25,000/-.

2. At the very outset, learned counsel for the petitioner submits that he wishes to restrict his prayer with regard to inadequacy of compensation, as awarded to the petitioner. He submits that the petitioner was appointed as a Peon, on DC rates, by the respondent/Management, and his services were terminated without making compliance to Section 25 (F) of the Industrial Disputes Act, 1947 (for short 'the ID Act'). Finally, he submits that the petitioner/workman, undoubtedly worked from 28.04.2013 to 26.01.2015, and therefore, he is entitled for adequate compensation.



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3. On the other hand, learned counsel for the respondent/Management-State submits that it is a case of voluntary absence from the duty. He submits that the petitioner/workman, was appointed on DC rates, without following any selection process, and therefore, he has no right of reinstatement, and the compensation of Rs.25,000/-, as awarded by the learned Tribunal concerned, is adequate considering the facts and circumstances of the instant case.

4. This Court has heard the submissions, as made by learned counsel for the parties concerned, and has gone through the available record.

5. It is not under dispute that the act of the respondent/Management, terminating the services of the petitioner/workman, was found to be illegal on account of infraction of Section 25 (F) of the ID Act. The respondent/Management, has not put to challenge the legality of the impugned award, and therefore, the findings in this regard, has attained the finality.

6. Now the only issue, which arises for consideration is, as to whether, what should be the adequate compensation, to be awarded to the petitioner, in case, he was denied the relief of reinstatement.

7. This Court finds guidance from the judgment rendered by the Division Bench of this Court in ***LPA-1203-2021***, titled '***Sukhbir Singh versus State of Punjab and others***' decided on 01.03.2023, wherein, it was held that the workman is entitled for each preceding year, to the tune of Rs.50,000/-, as compensation. This aspect has further been considered, and the compensation was enhanced to Rs.1,00,000/-, for each completed year, by Coordinate Bench of this Court in the judgment passed in ***CWP No.11057 of 2001***, titled '***State of Haryana vs. Surjeet and another***' decided on 30.07.2025.



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8. The petitioner/workman worked from 28.04.2013 to 26.01.2025, though, he was appointed on DC rates. Therefore, in view of the judgment (supra), this Court modifies the impugned award, to the extent, that the petitioner/workman is entitled for lump sum compensation of Rs.1,00,000/-. The respondent/Management, is directed to pay total compensation of Rs.1,00,000/- to the petitioner/workman, within a period of eight weeks from the date of receipt of certified copy of this order. In case, the amount (supra), is not paid within the stipulated period, the petitioner/workman, shall further be entitled for the interest @ 9%.

9. Consequently, the instant writ petition is **allowed**.

(KULDEEP TIWARI)
JUDGE

March 16, 2026
Manpreet

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