



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

**CWP-5264-2025**

**Date of Decision : 29.05.2026**

**ADITYA BIRLA CAPITAL LIMITED THROUGH ITS MANAGING  
DIRECTOR**

.....Petitioner

***VERSUS***

**PRESIDING OFFICER, INDUSTRIAL TRIBUNAL AND LABOUR  
COURT AND ANOTHER**

.....Respondents

**CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present : Mr. Sundeep Srivastava, Advocate,  
for the petitioner-management.

Respondent no.2 in-person.

**KULDEEP TIWARI, J.(Oral)**

1. Through the instant petition, filed under Article 226/227 of the Constitution of India, petitioner-management has thrown challenge to the order dated 26.09.2024 (Annexure P-2) as well as the *ex parte* order/Award dated 08.03.2022 (Annexure P-3), whereby the reference was answered in favour of respondent no.2-workman and he was held entitled for reinstatement with continuity in service alongwith 25% of the back wages.

2. This court vide order dated 22.05.2026, had passed the hereinafter extracted order:-

“ Pursuant to the directions issued by this Court  
vide order dated 18.05.2026, learned counsel for respondent

*no.2-workman, on instructions, informs this Court that respondent no.2-workman, is ready to forgo his claim of reinstatement, if the petitioner-management is ready to comply with the rest of the relief as granted vide impugned Award.*

*Faced with the above, learned counsel for petitioner-management, informs that the decision in this regard will be taken by the competent authority of the petitioner-management, and he is awaiting for the same. Therefore, he made a request for an adjournment.*

*Asked for request is accepted.*

*Adjourned to 29.05.2026.*

*To be shown in the urgent list. ”*

3. Pursuant to the aforesaid order, learned counsel for the petitioner-management, submits that the management, in order to establish a role model, however, without admitting the claim of respondent no.2-workman to be considered as their employee, are ready to comply with the Award only to the extent of paying 25% of the back wages.

4. He further placed on record a calculation sheet, which is taken on record as Mark 'A', whereby, the petitioner is now required to pay Rs.2,07,900/- as 25% of back wages, and out of which, Rs.50,000/- has already been paid. He further submits that within a period of two weeks from today, the rest of the amount will be paid to the respondent no.2-workman.

5. Finally, he submits that the above settlement is a mutual one, between the petitioner-management and respondent no.2-workman, and it may not be treated as a precedent in any other matter against the management.

6. Respondent no.2-workman, who is present in Court, accepts the aforesaid submission made on behalf of the petitioner-management,

and submits that he would not press for rest of the relief, as granted vide impugned Award.

7. In view of the consensus arrived at between the parties concerned, the impugned Award is modified to the extent that respondent no.2-workman, is entitled to, only 25% of the back wages.

8. Further a positive *mandamus* is passed upon the petitioner-management, to pay rest of 25% of awarded amount, which comes to Rs.1,57,900/-, to respondent no.2-workman, within period of 15 days of passing of this order.

9. In case of failure on the part of petitioner-management to pay the aforesaid amount, within stipulated period, respondent no.2-workman, shall be entitled for interest at the rate of 9% p.a.

10. It is made clear that this order shall not be considered as a precedent against the petitioner-management.

11. All pending application(s), if any, also stand **disposed** of accordingly.

**May 29, 2026**  
*dharamvir*

**(KULDEEP TIWARI)**  
**JUDGE**

|                            |   |        |
|----------------------------|---|--------|
| Whether speaking/reasoned. | : | Yes/No |
| Whether Reportable.        | : | Yes/No |