



LPA-838-2026(O&M)

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

LPA-838-2026(O&M)
Date of decision:-27.03.2026

Mahipal Singh

...Appellant

Versus

Haryana Seeds Development Corporation Ltd. and another

...Respondents

**CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL
HON' BLE MR. JUSTICE VIKAS SURI**

Present :- Mr. N.K. Malhotra, Advocate
for the appellant (THROUGH V.C.).

SUVIR SEHGAL, J.(ORAL)

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1. Prayer made in the application is for condonation of delay of 76 days in the filing of the appeal.

2. For the reasons given in the application, it is allowed.

3. Delay of 76 days in the filing of the appeal is condoned.

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4. Exemption, as prayed for, is granted.

5. Application is allowed.

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6. By way of present appeal filed under Clause X of the

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Letters Patent, appellant - workman has assailed the judgment dated 11.11.2025 passed by the learned Single Judge whereby award dated 21.01.2015, Annexure P5, passed by the Industrial Tribunal, Rohtak has been modified and a lump sum compensation of Rs.4.50 lakhs has been granted in lieu of reinstatement and 50% back wages.

7. Counsel for the appellant submits that the workman was engaged as a daily paid labourer and worked from 15.10.2010 to 30.07.2011. His services were terminated in breach of Section 25-F of the Industrial Disputes Act, 1947 (for short “the Act”). Upon reference, Industrial Tribunal, Rohtak vide award. Annexure P5, has held the termination to be illegal and has directed reinstatement with continuity of service along with 50% backwages. Counsel contends that the learned Single Judge has come to the conclusion that the termination of the workman was vitiated on account of non-compliance of Section 25-F of the Act, but has erred in altering award of reinstatement along with backwages. He has placed reliance upon **State of U.P. Versus Charan Singh (2015) 8 SCC 150** in support of his assertion. In the alternative, it has been urged that the compensation awarded by the learned Single Judge deserves to be enhanced.

8. We have heard counsel for the appellant and perused the record.

9. Appellant was engaged as a daily wager and after having put in almost nine months, his services were terminated in 2011. It is also not in dispute that the termination was held to be illegal on account of failure of the management to adhere to the procedure prescribed under



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the Act.

10. The sole question to be determined is whether reinstatement along with back wages, ought to have been granted to the workman or compensation in view thereof is justified. The law on the issue is no longer *res interga*. Hon'ble Supreme Court in **Bharat Sanchar Nigam Ltd. Versus Bhurumal (2014) 7 SCC 177** has held that in case of daily wage employees, where termination is found to be illegal due to the procedural violation of Section 25-F of the Act, reinstatement is not automatic. Grant of monetary compensation instead of reinstatement is an appropriate relief particularly when a long period has lapsed. Apex Court has held that reinstatement after a long gap would not serve any purpose. Similar view has been taken by the Supreme Court in **Assistant Engineer, Rajasthan Development Corporation and another Versus Gitam Singh (2013) 5 SCC 136**.

11. Applying the above principles to the facts of the case at hand, we find that the appellant was a daily wage worker with a short tenure of service. There is no finding of unfair labour practice or victimization. Termination goes back to the year 2011 and a considerable time has elapsed. Even if he is reinstated, workman would not acquire any right to regularization and again can be lawfully terminated by the management upon compliance of the statutory provisions. In these circumstances, we are of the view that the learned Single Judge has rightly exercised the discretion in modifying the award. Compensation of Rs.4.50 lakhs awarded by the writ Court cannot be said to be arbitrary or inadequate, particularly when it has been assessed



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keeping in view the long time gap. Judgment of *Charan Singh's* case (supra) cannot come to the aid of the appellant. Supreme Court found that employment of workman as Tubewell Operator in Fisheries Department was perennial and his reinstatement had been ordered on account of violation of Section 6 N of the Uttar Pradesh Industrial Disputes Act, 1947. This Court is of the view that the impugned judgment does not suffer from patent illegality, perversity or misapplication of law and it does not call for any interference.

12. As a result, present letters patent appeal is dismissed with no order as to costs.

(SUVIR SEHGAL)
JUDGE

(VIKAS SURI)
JUDGE

27.03.2026
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No