

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

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CWP-9021-2021

Date of Decision : April 01, 2026

NAR SINGH BAHADUR

-PETITIONER

V/S

**PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-III, FARIDABAD AND ANOTHER**

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Ms. Mansi Majoka, Advocate, and
Mr. Bhisham Kumar Majoka, Advocate
for the petitioner.

Mr. Kapil Bansal, D.A.G., Haryana.

KULDEEP TIWARI, J. (ORAL)

1. The present writ petition assails the award dated 23.01.2020 (Annexure P-1), whereby the Industrial Tribunal, Faridabad, despite holding that the termination of the petitioner/workman was illegal, declined to order his reinstatement and instead directed the respondent No.2/management to pay monetary compensation of ₹55,000/-.

2. Concisely and compendiously, the case set up by the workman in his demand notice dated 25.11.2014, which constituted the bedrock of the impugned award, was that he was appointed as an Electrician with the management on 10.05.2012, and his last drawn salary was ₹11,000/- per month. He alleged that he had continuously served the management from 10.05.2012 to 11.10.2014, when his services were terminated without any legal notice and without compliance with the provisions of Section 25-F of

the Industrial Disputes Act, 1947 (hereinafter referred to as the “I.D. Act”), and accordingly sought reinstatement with continuity of service, full back wages, and all other service benefits.

3. Learned counsel for the workman submits that the workman had served the management for approximately 2½ years, as is evident from the impugned award. Once the Industrial Tribunal acknowledged that the workman had completed 240 days of service in the preceding year and his termination was illegal, the relief of reinstatement ought to have been granted. It is further submitted that if this Court concurs with the Industrial Tribunal’s decision in denying reinstatement, the workman should, in the alternative, be awarded just and reasonable compensation in line with the judgment of the Division Bench of this Court in ***CWP-11057-2001, State of Haryana v. Surjeet and another, decided on 30.07.2025.***

4. This Court has heard learned counsel for the parties and perused the record. As regards the relief of reinstatement, this Court concurs with the view of the Industrial Tribunal. Moreover, learned counsel for the workman has failed to demonstrate as to how the mere rendering of service for approximately 2½ years with the management, particularly when his appointment was not made through a proper channel, would entitle him to reinstatement. Accordingly, this Court is of the considered view that the Industrial Tribunal has rightly declined the relief of reinstatement.

5. Now, the remaining issue to be addressed pertains to the quantum of compensation. In this regard, it is appropriate to refer to the judgment rendered in ***Surjeet’s case (supra)***, wherein the workman was held entitled to lump-sum compensation of ₹ 50,000/- for each completed

year of service. The relevant observations are as follows:

“6. As per the settled principle of law settled by the Division Bench of this Court in LPA No.1203-2021 titled as Sukhbir Singh vs. State of Haryana and others decided on 01.03.2023, an employee is entitled for compensation in lieu of benefit of reinstatement in service. Relevant paragraphs of the said judgment are as under:-

6. Resultantly, once the workman had completed 240 days and apparently had worked for a period spanning more than 5 ½ years, we are of the considered opinion that dispensing of his service before his contractual period came to an end would entitle him for the statutory protection which would be evident from the award of the Labour Court. However, keeping in view the fact that at this point of time, it would be justified to put him back in service since a period of almost 25 years has gone by and therefore, it would be just and appropriate to award compensation to the tune of Rs.2,50,000/- on an average of Rs.50,000/- per year, keeping in view the fact that the State had taken his service for more than 5 years with the same office in different districts.

7. The Apex Court in Haryana Urban Development Authority Vs. Om Pal, (2007) 5 SCC 742 granted Rs.25,000/- for the service of one year whereas in Uttaranchal Forest Development Corporation Vs. M.C.Joshi, (2007) 9 SCC 353, for a period of 2 years, a sum of Rs.75,000/- was granted. Similarly, in Asst. Engineer, Rajasthan Development Corporation & another Vs. Gitam Singh, 2013 (1) SCR 679, the said view was followed while noticing that the service was of 8 months and thus, compensation of Rs.50,000/- was granted. Similarly, in Management, Hindustan Machine Tools Ltd. Vs. Ghanshyam Sharma, 2018 (18) SCC 80, for a period of one year, compensation of Rs.50,000/- had been granted. In K.V.Anil Mithra & another Vs. Sree Sankaracharya University of Sanskrit & another, 2021 (4) SCT 415, for a

period of little over 4 years, amount awarded was Rs.2,50,000/- in lieu of the reinstatement and back wages of 50% which was granted and accordingly, modified.”

7. A bare perusal of the above reproduction would show that for each completed year, instead of reinstatement, a workman can be paid compensation to the tune of Rs.50,000/ for each completed year. Keeping in view the fact that in the present case, respondent No.1-workman had worked for a period of more than 06 years, he becomes entitled for sum of Rs.3,00,000/- on the said account.”

6. In the present case, the workman worked with the management w.e.f. 10.05.2012 to 11.10.2014. Further, *albeit*, impugned award was passed as back as in the year 2020, the workman had been pursuing his cause since 2014. Having regard to the totality of the facts, this Court is of the considered view that it would meet the ends of justice to award the workman lump-sum compensation of ₹50,000/- for each completed year of service.

7. Consequently, the impugned award is modified to the extent that the petitioner/workman is entitled to lump-sum compensation of ₹50,000/- for each completed year of service. The respondent No.2/management is directed to remit the aforesaid amount to the workman within eight weeks from the receipt of a certified copy of this order, failing which the workman shall be entitled to 9% interest per annum.

8. **Disposed of accordingly.**

April 01, 2026
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(KULDEEP TIWARI)
JUDGE

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