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

CWP-9324-2026

Date of decision: 02.04.2026

Tilak Raj

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vikas Kumar, Advocate for
Mr. B.D. Sharma, Advocate
for the petitioner.

Mr. Vikas Arora, DAG, Punjab.

Mr. Avinit Avasthi, Addl. Standing Counsel with
Ms. Sukriti Gupta, Junior Panel Counsel
for respondents No.3 & 4.

HARPREET SINGH BRAR, J. (ORAL)

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing respondents No.1 to 3 to comply and implement with the benefits of the award dated 11.07.2011 (Annexure P-2) passed by the learned Industrial Tribunal, Jalandhar. Further, directing the respondents to make the payment of Rs.18 lakh as on 22.11.2021 along with interest @ 12% per annum in furtherance of admission on behalf of the respondents as well as directing respondent No.4 to get the recovery effected on the basis of the recovery certificate issued by the Labour-cum-Conciliation Office under Section 33-C(1) of the Industrial Disputes Act.

2. On 27.03.2026, the following order was passed:-

“Learned counsel for the petitioner inter alia contends that the petitioner was initially employed as ‘Instructor’ by the Punjab



Woman and Child Development and Welfare Corporation (PUNWAC) on 01.05.1985. His services were illegally terminated and he raised an industrial dispute and the learned Industrial Tribunal, Jalandhar, passed an Award dated 11.07.2011 (Annexure P-2). The Tribunal directed that the petitioner be adjusted in another department of the Government of Punjab and he is entitled to full salary for the period from 12.09.1991 to 25.05.1992 and 50% salary till reinstatement/superannuation. After the closure of the PUNWAC, its entire liabilities and assets were taken over by the Department of Social Security, Woman & Child Development, Government of Punjab. The petitioner filed a petition under Section 33-C(II) of the Industrial Disputes Act, 1947, raising a claim of Rs.26,03,456/- along with interest at the rate of 12% per annum and the respondent-Department expressed willingness to pay Rs.18 Lakhs subject to rectification of the date of birth. The Labour and Conciliation Officer directed the recovery of Rs.18 Lakhs from the respondent-Department, as is discernible from Annexure P-4 and accordingly recovery certificate was issued on the basis of the stand taken by respondent No.2. Despite the issuance of the recovery certificate, the respondents have not paid the amount and now disputing the liability. Further, the Assistant Collector Ist Grade, having no adjudicatory powers, instead of acting on the basis of the recovery certificate, has now referred the matter back for clarification, vide the impugned order dated 08.07.2024 (Annexure P-6). Respondent No.4 has no authority to travel beyond the order dated 22.11.2021 (Annexure P-4) passed by the Labour and Conciliation Officer and has overstepped his authority.

Learned State counsel is not in a position to controvert the fact that the order passed by the Labour and Conciliation Officer on 22.11.2021 (Annexure P-4), has not been challenged till date and further learned counsel for respondents No.3 and 4 submits that a payment of Rs.7,00,503/-, after deducting tax, was released in favour of the petitioner.



Learned counsel for respondents No.3 and 4 is unable to satisfy this Court regarding the conduct of respondent No.4 instead of recovering the amount mentioned in the recovery certificate, he has proceeded to seek clarification from respondent No.2.

At this stage, learned counsel for respondents No.3 and 4 seeks short accommodation to have complete instructions.

List on 02.04.2026.”

3. In compliance of the same, learned counsel for respondents No.3 & 4 has filed a short reply by way of affidavit of Sh. Punnaydeep Sharma, Assistant Collector Grade-I (South Division), U.T. Chandigarh in the Court today and the same is taken on record. Registry is directed to tag the same at an appropriate place in the file. He submits that respondent No.4 has already addressed a letter on 01.04.2026 to respondent No.2-the Director of Social Security, Women and Child Development to take immediate and effective action to ensure payment of the dues on or before 07.04.2026 to the petitioner in terms of the recovery certificate No.141 dated 25.06.2021 and submit a compliance report without further delay. It has also been made clear that in case, compliance of the above is not made, respondent No.4 would be compelled to take coercive action, such as attachment of movable/immovable assets/properties or arrest in accordance with the relevant provisions of the Punjab Land Revenue Act, 1887 without any further notice.

4. Learned counsel for respondents No.3 & 4 has assured this Court that appropriate action in accordance with law would be taken by respondent No.4 expeditiously.

5. Learned counsel for the petitioner, at this stage, is satisfied with the stand taken by learned counsel for respondents No.3 & 4 and submits that the present petition may be disposed of.

6. In view of the discussion above and the stand taken by learned counsel for respondents No.3 & 4, the present petition is disposed of accordingly.

(HARPREET SINGH BRAR)
JUDGE

02.04.2026
Neha

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