



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

CWP-10006-2003 (O&M)

Date of decision: 06.03.2026

State of Haryana through Executive Engineer P.H. Division No.1 Karnal
....Petitioner

Versus

Yashbir Singh and another
....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Kapil Bansal, DAG, Haryana,
for the petitioner.

Mr. Rohit Singh, Advocate,
for respondent No.1.

KULDEEP TIWARI, J. (Oral)

1. Through the instant writ petition, as cast under Articles 226/227 of the Constitution of India, an award dated 10.12.2002 (Annexure P-3) is put to challenge, vide which, the reference was answered in favour of the respondent-workman, and he was held entitled for reinstatement with continuity of service and full back wages from the date of demand notice, i.e. 15.02.1999.

2. Succinctly put, the facts, as depicted in the impugned award, are that the respondent-workman was engaged as Mali-cum-Chowkidar by petitioner-Management on daily wage basis, w.e.f. 01.06.1992. However, after about eight months, his services were terminated on 16.02.1993. Fetching grievance, the respondent-workman, through a demand notice dated 15.02.1999, raised an industrial dispute, which eventually culminated into a reference. Upon consideration of the matter,



the learned Industrial Tribunal, vide impugned award, answered the reference in his favour, as referred to above. Aggrieved thereby, the petitioner-Management is before this Court.

3. At the very outset, learned counsel for the respondent-workman submits that he has instructions not to join issues on merits, if an adequate compensation is granted to the workman.

4. On the other hand, learned counsel for the petitioner-State submits that respondent-workman had voluntarily abandoned the job. Further, he submits that there was a delay of about six years, in filing the demand notice. However, he is not averse to the proposal of settlement, as put forth by learned counsel for the respondent-workman.

5. This Court has heard learned counsel for the parties, and has perused the record.

6. *Ex facie*, it is a conceded position on record that the respondent-workman had worked with the petitioner-Management. So far as the plea that the respondent-workman had abandoned the job voluntarily is concerned, the learned Industrial Tribunal categorically observed that the petitioner-Management had miserably failed to lead any evidence, in this regard. So much so, it is also a factual position, per the impugned award, that the workman had not been served with any notice or paid any compensation, before his services were put to an end. However, at this juncture, it is also relevant to note that, a Division Bench of this Court, while issuing notice of motion, vide order dated 11.08.2003, had stayed the operation of the impugned award, subject to compliance of Section 17-B of the Act of 1947.



7. In conspectus of the above, and since almost two and a half decades have rolled by, this Court is also of the considered view that it would be in the fitness of things, if the matter is given quietus by awarding a lump sum compensation to the respondent-workman. Accordingly, as agreed between learned counsel for the parties, petitioner-Management is directed to pay an amount of Rs.1,00,000/- to the respondent-workman within eight weeks from the receipt of a certified copy of this order, towards full and final settlement.

8. With the abovesaid modification in the impugned award, the instant writ petition is **disposed of**.

(KULDEEP TIWARI)
JUDGE

06.03.2026
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No