



CWP-7015-2012

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

(231)

CWP-7015-2012

Date of Decision : 13.01.2026

Jagtar Singh

...Petitioner

Versus

Presiding Officer, Labour Court,
Patiala and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARIPresent: Ms. Anamika Sheoran, Advocate
for the petitioner.

Mr. T.P.S. Walia, DAG, Punjab.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant writ petition, the workman has approached this Court, seeking quashing of the award dated 13.12.2011 (Annexure P-5), whereby, the relief of reinstatement with all consequential benefits has been declined to him, and he was awarded a meagre compensation of Rs.30,000/- by the learned Tribunal concerned, despite the fact that the petitioner/workman has worked for six years with the respondent/department, concerned.

2. Learned counsel for the petitioner, though, made a submission to the effect that once termination of service was found to be illegal, the petitioner/workman ought to have been reinstated into service, and there is no reason to decline the relief of reinstatement.

3. Elaborating her arguments, she submitted that the petitioner/workman, has worked continuously for six years, therefore in view



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of the judgment passed by the Division Bench of this Court in *LPA-1203-2021*, titled '*Sukhbir Singh versus State of Punjab and others*' decided on 01.03.2023, and judgment passed by the Coordinate Bench of this Court in *CWP No.11057 of 2001*, titled '*State of Haryana vs. Surjeet and another*' decided on 30.07.2025, the petitioner/workman, is entitled to Rs.1,00,000/- compensation for each year he worked with the respondent/department.

4. On the other hand, learned Counsel for the State has opposed the submissions made by the learned counsel for the petitioner. He submitted that the action of respondent/department was found illegal only on account of infraction of Section 25 (F) of the Industrial Disputes Act, 1947 (for short 'ID Act'), and now the law is well settled that in case, there is an infraction of Section 25 (F) of the ID Act, the reinstatement is not automatic. The other factors like manner of the appointment, the nature of work and the tenure of service, are also requires consideration before granting the relief of reinstatement. He further submits that adequate compensation has been awarded and the same has already been paid to the petitioner.

5. This Court has given thoughtful consideration to the rival submissions made by both the parties concerned, and has gone through the impugned award, as well.

6. From perusal of the impugned award and other record, it is evident that the petitioner has joined the respondent/department, on 01.02.1994 and worked upto 31.08.2000, whereas the respondent/department has admitted before the learned Tribunal concerned that the workman worked with the respondent/department, w.e.f. 08.04.1996 to 31.08.1997. From perusal of the award and other records, it transpired that the



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petitioner/workman, has worked for 240 days in the preceding year, and his service was terminated in violation of Section 25 (F) of the ID Act. It is nowhere adduced by the petitioner/workman, before this Court that he was selected through a proper channel. Rather, it is apparent from the record that he was appointed as daily wager without following the procedure of appointment, and therefore, in case of infraction of Section 25 (F) of the ID Act, reinstatement cannot be granted automatically.

7. This Court lends strength from the judgment passed by the Hon'ble Supreme Court in *Civil Appeal No.13834 of 2024*, titled '*Maharashtra State Road Transport Corporation vs. Mahadeo Krishna Naik*', decided on 14.02.2025.

8. Now the issue, which requires consideration is, as to whether, the petitioner has been granted adequate compensation, or not. The learned Tribunal has concluded that the petitioner/workman has worked for six years prior to termination of his services.

9. The Division Bench of this Court in *LPA-1203-2021*, titled '*Sukhbir Singh versus State of Punjab and others*' decided on 01.03.2023, has already held that the workman is entitled for each preceding year, to the tune of Rs.50,000/-. This aspect has further been considered, and the compensation was enhanced to Rs.1,00,000/-, for each completed year, by this Court in the judgment passed in *CWP No.11057 of 2001*, titled '*State of Haryana vs. Surjeet and another*' decided on 30.07.2025.

10. In view of the judgment (supra), this Court modifies the impugned award, to the extent, that the petitioner/workman is entitled for compensation of Rs.1,00,000/-, for each year he worked with the respondent/department. Therefore, the respondents No.3 to 5, are directed to



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pay compensation of Rs.6,00,000/- minus Rs.30,000/- (already paid), to the petitioner/workman within a period of eight weeks from the date of receipt of certified copy of this order. In case, the amount (supra), is not paid within the stipulated period, the petitioner/workman, shall further be entitled for the interest @ 9%.

11. Consequently, the instant writ petition is **disposed of**.

(KULDEEP TIWARI)
JUDGE

January 13, 2026
Manpreet

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