



CWP-3021-2014

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

(218)

CWP-3021-2014

Date of Decision : 19.01.2026

Karnatka Soaps and Detergent Ltd. and another

...Petitioner

Versus

Subhash Chand Garg

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Ms. Anjali Khosla, Advocate for
Mr. Naresh Jain, Advocate and
Mr. Kishan Bansal, Advocate
for the petitioner.

Ms. Pratibha Bali, AAG, Punjab.

KULDEEP TIWARI, J. (ORAL)

1. The petitioner-Management has thrown challenge to the impugned award dated 03.06.2013 (Annexure P-5), where through, the reference was answered in favour of the respondent No.1/workman, and he was granted the relief of reinstatement with 50% back wages.

2. The Coordinate Bench of this Court, at the time of issuance of notice of motion, in the instant writ petition, vide order dated 05.03.2014, stayed the operation of impugned award. Thereafter, on a miscellaneous application filed by respondent No.1/workman, the Coordinate Bench of this Court, vide order dated 20.07.2015, had directed the petitioner-Management, to make compliance of Section 17-B of the Industrial Disputes Act, 1947 (for short 'ID Act').

3. It is informed to this Court that the compliance of Section 17-B

of the ID Act, was made up to July, 2022. It is further submitted by learned

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counsel for petitioner that although the petitioner-Management was only required to make compliance of Section 17-B of the ID Act, till the respondent No.1/workman attained the age of superannuation i.e. May, 2016. However, erroneously they continued paying under Section 17-B of the ID Act, without taking this fact into consideration. She further submits that since the respondent No.1/workman has now attained the age of superannuation, therefore, the relief of reinstatement carries no significance and considering, the two years of service rendered by the respondent No.1/workman, it was addressed that the issue can be settled by way of awarding lump sum compensation. Finally, she submitted that since the workman has been paid more than Rs.2,50,000/-, in compliance of Section 17-B of the ID Act, even after he attained the superannuation, and that may be treated as an adequate lump sum compensation and the impugned award be modified, accordingly.

4. On the other hand, learned counsel for the respondent No.1/workman, fairly conceded to the fact that the respondent No.1/workman had attained the age of superannuation in the month of May, 2016, and therefore, the relief of reinstatement carries no significance. However, he submitted that the compliance of Section 17-B of the ID Act, was made by the petitioner-Management, and there was no misrepresentation or any inducement on the part of the workman. He further submits that the entire record with regard to the respondent No.1/workman was with the petitioner-Management, and they could have avoided making payment post May, 2016. He further submitted that the workman has been contesting this litigation for the last more than 25 years, awaiting the relief to be granted to him. However, he could not enjoy the relief of reinstatement, as the order was stayed by the Coordinate Bench of this Court. He further submits that he



would be satisfied in case, a compensation of Rs.2,00,000/-, is awarded in lump sum to the respondent No.1/workman, and learned counsel for the petitioner/Management, would not press for the execution of the impugned award.

5. Since there is no dispute to the fact that the respondent No.1/workman, has worked about 2 years and 2 months, therefore, this Court is of the considered opinion that Rs.2,00,000/-, would be an adequate compensation to be paid by the petitioner-Management, to the respondent No.1/workman. The award is accordingly modified to the limited extent and the petitioner-Management, is directed to deposit Rs.2,00,000/-, in the account of respondent No.1/workman, within a period of eight weeks, from the date of receipt of certified copy of this order, failing which, the respondent No.1/workman, shall further be entitled for 9% interest on the awarded compensation.

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

(KULDEEP TIWARI)
JUDGE

January 19, 2026
Manpreet

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