



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

CWP-27842-2017 (O&M)

Date of decision: 23.03.2026

Khushi Ram

....Petitioner

Versus

Presiding Officer, Industrial Tribunal-cum-Labour Court, Rohtak and
another

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ram Pal Verma, Advocate,
for the petitioner.

Mr. Kulvir Narwal, Advocate,
for respondent No.2.

KULDEEP TIWARI, J. (Oral)

1. The instant writ petition, as cast under Articles 226/227 of the Constitution of India, assails the order dated 07.11.2013 (Annexure P-4), whereby, preliminary issue was decided against the petitioner-workman, and the award dated 27.09.2017 (Annexure P-5), which too, was answered against him.

2. In brief, the petitioner-workman was engaged as Security Guard by the respondent-Management on 23.04.1993 at a monthly salary of Rs.850/-. However, a charge-sheet dated 08.01.1998 had been served upon the workman, with the allegations of consuming liquor on repeated instances during duty hours, along with other Guards, and, he was also found sleeping on 07.01.1998. So much so, he had also committed theft of an electric motor and a mirror. In response, he filed a reply denying the allegations. Eventually, his services were dispensed with, vide dismissal order dated 12.10.1998.

3. Upon raising an industrial dispute by filing a demand notice, the preliminary issue, 'as to whether, the Enquiry Officer conducted the enquiry in a fair and proper manner, was answered against the workman, vide order dated 07.11.2013 (Annexure P-4). Proceeding further with the



matter, the learned Industrial Tribunal, vide impugned award dated 27.09.2017 (Annexure P-5), answered the reference against the workman, on the basis that consuming alcohol, during duty, is a grave and serious misconduct. Hence, the workman is before this Court.

4. Learned counsel for the petitioner, while referring to the back ground of the controversy, submits that even if the charges are treated to be a gospel truth, still the punishment of dismissal from service is highly disproportionate.

5. Given the nature of duties of the petitioner, i.e. to safeguard the Management's assets, consumption of liquor during working hours, indeed, amounts to unpardonable indiscipline. Accordingly, when learned counsel for the petitioner was confronted, as to how, the punishment is disproportionate, he could not satisfy the Court by assigning any plausible explanation. However, at this stage, he submits that since petitioner had rendered services for about five years, and has been pursuing the instant litigation for more than two decades, he would confine his prayer only to the extent of lump sum compensation.

6. On the other hand, learned counsel for the Management, initially, strongly opposes the claim of the workman, and submits that his conduct speaks volumes against him. Further, in the event, the matter is buried by granting compensation, it would create a precedent for other workers of the Management. However, he, upon having instructions from Mr. Surinder Malik, AGM (Operations), Parle, Bahadurgarh, fairly submits that considering the age of the petitioner, apart from the above narrated reasons, the Management is ready to settle the matter. Accordingly, he extends the offer of Rs.1,50,000/-, as full and final settlement.

7. In response, learned counsel for the petitioner agrees to the abovesaid proposal, but submits that the Management be directed to remit the abovesaid amount, within a reasonable period.

8. In view of the abovesaid consensus arrived at between learned counsel for the parties, this Court is not required to delve into the merits of the matter. Accordingly, the instant writ petition is **disposed of**, thereby modifying the impugned award to the extent:-

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“ 1) *The respondent-Management shall, within six weeks from today, remit an amount of Rs.1,50,000/- to the bank account of the petitioner-workman;*

*Name: Mr. Khushi Ram
Bank: Indian Overseas Bank
Account No. 272101000002302
IFSC IOBA0002721; and*

2) *The abovesaid concession has been extended to the petitioner only to provide a quietus to the long standing dispute, and shall not be construed, under any circumstances, as a precedent for any other workman of the respondent-Management to claim parity.*

**(KULDEEP TIWARI)
JUDGE**

23.03.2026
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No