



CWP-2934-2017 (O&M)

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

(243)

CWP-2934-2017 (O&M)
Date of Decision : 27.04.2026

M/S Nipa International (P) Ltd.

...Petitioner

Versus

Sudesh Verma and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sachin Mittal, Advocate and
Mr. Arnav Mittal, Advocate
for the petitioner.

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

KULDEEP TIWARI, J. (ORAL)

1. In deference to the directions issued by this Court, by drawing an order dated 05.02.2026, cost of Rs.10,000/-, has been deposited with the District Legal Services Authority, concerned.
2. The order dated 08.07.2014 (Annexure P-11), as well as, the award dated 02.03.2016 (Annexure P-12), wherethrough, the reference was answered in favour of the respondent No.1/workwoman, passed by respondent No.2, has been put to challenge by filing the instant writ petition, cast under Article 226/227 of the Constitution of India, by the petitioner/Management.
3. At the outset, learned counsel for the petitioner/Management, has made an earnest efforts to point out perversity or illegality into the order (supra). However, he failed to do so.



4. In the instant case, learned Tribunal, by passing an order dated 08.07.2014 (Annexure P-11), decided the preliminary issue and held that the enquiry was not proper and legal. Even, while passing the award (supra), learned Tribunal has considered the evidence led by the petitioner/Management, and concluded that the charges were not proved against the respondent No.1/workwoman, and therefore, the same does not require any interference by this Court.

5. Learned counsel for the petitioner/Management, at this stage, submitted that the services of the respondent No.1/workwoman, were terminated on 02.05.2005, and the impugned award was passed on 02.03.2016, and the instant writ petition was filed in the year 2017, and till date, there is no stay with regard to the award (supra), and the respondent No.1/workwoman, till date, made no efforts to get the award executed, therefore, an inference can be drawn that she is not interested for reinstatement. He further submits that the petitioner/Management, is ready and willing to settle the dispute, once and for all, by paying a lump sum compensation to respondent No.1/workwoman.

6. On the other hand, learned counsel for respondent No.1/workwoman, submits that she was made to suffer from the date of her termination i.e. from 02.05.2005, and after contesting a long legal battle for about a decade, she was able to get the relief in her favour 02.03.2016, and till date, more than a decade, has passed, and she has been deprived of the fruit. Even, the full back wages awarded by learned Tribunal have not been paid to the respondent No.1/workman.

7. In view of the circumstances as explained by counsel for the petitioner, this Court can safely conclude that the respondent



No.1/workwoman, is not interested in getting the reinstatement. Therefore, at this stage, this Court needs to adjudicate, as to whether, the claim of the respondent No.1/workwoman, can be settled by paying a lump sum compensation, or not.

8. The respondent No.1/workwoman, is out of service since 02.05.2005, and now, more than 20 years, has elapsed. Further, it is not disputed that she was not a regular employee. Therefore, this Court is of the considered opinion that the relief of reinstatement can be modified, and the claim of the respondent No.1/workwoman, can be satisfied by paying a lump sum compensation to her. Undisputedly, she has worked with the petitioner/Management, for about eight years.

9. 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, has quantified the lump sum compensation to the tune of Rs.50,000/-, for each completed year. The relevant is extracted hereinafter :-

“7. A bare perusal of the above reproduction would show that for each completed year, instead of reinstatement, a workman can be paid compensation to the tune of Rs.50,000/- for each completed year. Keeping in view the fact that in the present case, respondent No.1-workman had worked for a period of more than 06 years, he becomes entitled for sum of Rs.3,00,000/- on the said account.”

10. A similar view has also been taken by this Court in **CWP-9878-2000**, titled '**Municipal Council, Pathankot vs. Presiding Officer, Labour Court, Gurdaspur and another**' decided on 11.11.2025.

11. In the instant writ petition, the respondent No.1, is a workwoman, and she contested the litigation since 2005, and this Court is of

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by passing a direction upon the petitioner/Management, to pay a lump sum compensation of ₹6,00,000/-, to respondent No.1/workwoman, taking strength from the judgments (supra), within a period of six weeks, from the date of receipt of certified copy of this order. The amount shall be deposited with the Labour Inspector concerned, and the respondent No.1/workman, by filing an apt application, can withdraw the said amount.

12. Needless to say, in case, the above said amount is not deposited within the stipulated period, the respondent No.1/workwoman, would further be entitled for interest @ 9%, on the delayed payment.

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

14. Pending applications, if any, stands disposed of accordingly.

(KULDEEP TIWARI)
JUDGE

April 27, 2026
Manpreet

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