



CWP-32944-2019

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

(249)

CWP-32944-2019

Date of Decision : 14.05.2026

Naresh Kumar

...Petitioner

Versus

The Medical Officer, B.K. Hospital,
Faridabad and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Munish Mittal, Advocate for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, cast under Article 226/227 of the Constitution of India, the legality of award dated 03.10.2016 (Annexure P-4), passed by learned Industrial Tribunal-cum-Labour Court-I, Faridabad (respondent No.3), wherethrough, the reference was answered in favour of the petitioner/workman. However, he was granted the relief of meagre compensation of Rs.22,000/-, instead of reinstatement with continuity of service and back wages.

2. Learned counsel for the petitioner submits that once the learned Tribunal has given a finding, to the effect, that there is an infraction of Section 25(F) of the Industrial Disputes Act, 1947 (for short 'the ID Act'), therefore, learned Tribunal concerned, instead of granting reinstatement with back wages to the petitioner/workman, a meagre compensation was awarded.

He further submits that petitioner/workman, is out of service



since 2015, therefore, at this stage, after a lapse of about 11 years, he does not wish to press for adjudication on the issue of reinstatement, rather he confines his prayer only with regard to inadequate compensation, as awarded by learned Tribunal concerned, through the award (supra).

3. Finally, he submits that the petitioner/workman, has worked for about three years with the respondent/Management, w.e.f. 22.02.2012 to 25.05.2015, when his services were illegally terminated, therefore, he has made a prayer that the compensation should be in proportion to the number of years, he has worked with the respondent/Management.

4. On the other hand, learned counsel for the respondent/State, submits that adequate compensation has been given to the petitioner/workman, and therefore, a well reasoned award, as passed by learned Tribunal, does not warrant any interference of this Court.

5. This Court has considered the submissions made by learned counsel for the parties concerned.

6. It is not disputed that the petitioner/workman, has worked for about three years, with the respondent/Management. It is nowhere, the case of the respondent/Management, that compliance of provisions of Section 25(F) of the ID Act, has been made, therefore, the act of terminating the services of the petitioner/workman, is held to be illegal. Furthermore, the findings of the award (supra), was never put to challenge, and therefore, the same has attained finality.

7. Now the issue, which arises for consideration before this Court is, as to whether, what relief the petitioner/workman, is entitled for?

8. This Court is of the considered opinion that the claim of the petitioner/workman, can be satisfied by paying a lump sum compensation, in



proportion to the years, he has worked with the respondent/Management. In the instant case, the petitioner/workman, has worked for about three years, with the respondent/Management, before his services were terminated.

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 Coordinate Bench of 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 lump sum compensation of Rs.2,00,000/-, for the period, he has worked with the respondent/Management. Therefore, the respondent/Management, is directed to pay compensation of Rs.2,00,000/-, to the petitioner/workman, within a period of six weeks, from the date of receipt of certified copy of this order.

11. In case, the amount (supra), is not paid within the stipulated period, the petitioner/workman, shall further be entitled for the interest @ 9%.

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

(KULDEEP TIWARI)
JUDGE

May 14, 2026
Manpreet

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