
(2019) 04 DEL CK 0274

In the Delhi High Court

Case No : Civil Writ Petition No. 8741 Of 2009

Punj Sons Pvt. Ltd

APPELLANT

Vs

Nanhe Singh

RESPONDENT

Date of Decision : 24-04-2019

Acts Referred:

Citation : (2019) 04 DEL CK 0274

Hon'ble Judges : J.R. Midha, J

Bench : Single Bench

Advocate : Ashwani K. Sakhuja, Puneet Saini, Kunwar C.M. Khan, Sheeba Khan, Shoaib Khan, Aditya Tanwar

Final Decision : Partly Allowed

Judgement

J.R. Midha, J

1. The petitioner has challenged the award of the Labour Court whereby compensation of Rs.1,92,000/- along with interest @ 18% per annum from the date of filing of claim till realization and litigation cost of Rs.10,000/-has been awarded to the respondent.

2. The petitioner appointed the respondent as a security guard on 12th January, 1988. On 04th May, 1992, the petitioner found the respondent sleeping whereupon the petitioner issued a charge sheet and conducted an inquiry against the respondent. The petitioner terminated the respondent on 30th May, 1992 whereupon the respondent raised an industrial dispute which was referred to the Labour Court.

3. The Labour Court awarded compensation of Rs.1,92,000/- along with interest @ 18% per annum and litigation cost of Rs.10,000/- to the respondent.

4. Learned counsel for the petitioner submits that the compensation awarded by the Labour Court to the respondent is on a higher side and the same be reduced.

5. Learned counsel for the respondent submits that the compensation awarded

by the Labour Court is fair and reasonable and does not warrant any interference.

6. The petitioner deposited Rs.1,92,000/- on 03rd July, 2009 with the Registrar General of this Court in terms of the order dated 25th May, 2009. The petitioner has also deposited litigation expenses of Rs.7,500/- with the Registrar General of this Court. The amount of Rs.1,92,000/- is lying in fixed deposit whereas the litigation expenses of Rs.7,500/- deposited by the petitioner has been released to the respondent.

7. This Court is of the view that the compensation amount of Rs.1,92,000/- awarded by the Labour Court to the respondent is just, fair and reasonable and does not warrant any interference. However, the interest of 18% per annum awarded by the Labour Court is not justified and is hereby set aside. The litigation expenses awarded by the Labour Court are reduced from Rs.10,000/- to Rs.7,500/-.

8. The respondent present in Court along with the counsel is satisfied with the aforesaid reduction of the award amount and submits that the amount deposited by the petitioner be released to the respondent.

9. In the facts and circumstances of this case, the compensation of Rs.1,92,000/- awarded by the Labour Court is upheld. However, the interest of 18% per annum awarded by the Labour Court is set aside. The litigation cost awarded by the Labour Court is reduced from Rs.10,000/- to Rs.7,500/-. The writ petition is partially allowed to the above extent.

10. The Registrar General is directed to release Rs.1,92,000/- deposited by the petitioner along with interest accrued thereon to the respondent within three weeks from today.

11. Copy of this judgment be given dasti to counsels for the parties under signature of Court Master.