

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-11417-2015 (O&M)
Date of decision:04.08.2017

District Food and Supplies Controller, Rohtak

....Petitioner

Versus

Surinder Singh (since deceased) represented through Lrs and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Anil Mehta, DAG, Haryana.

Mr. Sandeep Singal, Advocate for the respondents.

P.B. BAJANTHRI, J. (ORAL)

In the present writ petition, petitioner has questioned the validity of the award dated 24.12.2014 (Annexure P1).

Deceased employee was appointed on ad hoc basis as a Chowkidar on 10.05.2001. Thereafter, his services were dispensed on 22.07.2005. Deceased employee issued a demand notice on 08.08.2005. Consequently, reference was made. Reference was decided by the Labour court on 24.12.2014 to the extent that deceased employee is entitled for reinstatement on previous post with continuity of service and 50% back wages from the date of demand notice. During pendency of this petition, respondent No.1-workman is stated to have died on 30.06.2015. LRs have been brought on record. Undisputedly, deceased employee has worked from 10.05.2001 to 22.07.2005. In view of the later development that workman has died on 30.06.2015 question of reinstating with continuity of service do not arise as

awarded by the labour court. Thus, labour court award dated 24.12.2014 is modified to the extent of awarding compensation to the legal heirs of the respondent-workman. Petitioners are hereby directed to pay the compensation of Rs.3 Lacs to the legal heirs within a period of 3 months from today failing which legal heirs of the deceased employee are entitled for interest @ 9% per annum.

CWP stands disposed of.

04.08.2017

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons Yes/No

Whether Reportable: Yes/No