

**CWP-5228-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH****(119)****CWP-5228-2025****Date of Decision : February 25, 2025****M/s Sarvottam Fabtex Pvt. Ltd and another****.. Petitioners****Versus****State of Haryana and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Sandeep Kumar Tada, Advocate and  
Mr. Deepak Vats, Advocate, for the petitioners.

**HARSIMRAN SINGH SETHI J. (ORAL)**

1. In the present writ petition, the challenge is to the Award dated 24.10.2024 (Annexure P-1) passed by respondent No.2- Labour Court by which, the respondent No.3-workman has been reinstated in service along with 30% back wages from the date of termination.
2. Learned counsel for the petitioners argues that keeping in view the financial status of the petitioners, the reinstatement is not possible hence, the grant of reinstatement by the Labour Court is liable to be modified.
3. I have heard learned counsel for the petitioners and have gone through the record with his able assistance.



4. A bare perusal of the Award dated 24.10.2024 (Annexure P-1), which is under challenge, it has been noted that Mr. Vikas, who has also filed the present petition on behalf of the Company and is also petitioner No.2, had appeared before the Labour Court and filed his affidavit, copy of which has been mentioned as Ex.RW/1/A wherein, he has stated that the services of the respondent No.3-workman have never been terminated and workman has already been asked to join the duties back. Keeping in view the said statement that there is no termination of the services of the respondent No.3-workman, the respondent No.3-workman has been directed to join the duties back along with 30% back wages. Now, a total somersault is being taken by the petitioners before this Court to contend that the reinstatement should not have been ordered.

5. Once, the stand of the petitioners before the Labour Court was that the services of the respondent No.3-workman have not been terminated and he has been asked to join the duties, which benefit was extended to the respondent No.3-workman by the Labour Court keeping in view the facts and circumstances of the present case, the somersault being taken by the petitioners before this Court in the present petition that the reinstatement should not have been ordered by the Labour Court, cannot be accepted.

6. Even otherwise, the Award dated 24.10.2024 (Annexure P-1) of the Labour Court can only be interfered in case the same is perverse to the facts or law. In the present case, no perversity has been shown to this Court with the impugned Award that the same is contrary to the facts or the settled principle of law.



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7. No ground is made out for any interference by this Court in the facts and circumstances of the present case.

8. Accordingly, the writ petition is dismissed.

**February 25, 2025**  
*harsha*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

Whether speaking/reasoned : Yes  
Whether reportable : No