

Har Kishore Sharma vs.the Mgmt. Of g.f.r. co.p.ltd. (Imperial Cable)

Har Kishore Sharma vs.the Mgmt. Of g.f.r. co.p.ltd. (Imperial Cable)

SooperKanoon Citation : sooperkanoon.com/1224238

Court : Delhi

Decided On : Jul-25-2019

Appellant : Har Kishore Sharma

Respondent : The Mgmt. Of g.f.r. co.p.ltd. (Imperial Cable)

Judgement :

\$~2 * % IN THE HIGH COURT OF DELHI AT NEW DELHI Date of Decision:

25. h July, 2019 + W.P.(C) 7721/2007 HAR KISHORE SHARMA

... Petitioner

Through: Mr.Narender Malawalia, Mr.Rikin Aswal, Advocates 1. versus THE MGMT. OF G.F.R. CO.P.LTD. (IMPERIAL CABLE) Through: None

Respondent CORAM: HON'BLE MR. JUSTICE J.R. MIDHA JUDGMENT (ORAL)

The petitioner has challenged the award of the Labour Court whereby compensation of Rs.50,000/- has been awarded to him.

2. The petitioner joined the respondent as an Operator in 1987 and he was terminated on 30th April, 1998. The petitioner raised an industrial dispute which was referred to the Labour Court.

3. The Labour Court held the termination to be illegal. The Labour Court awarded compensation of Rs.50,000/- to the petitioner in lieu of reinstatement.

4. Learned counsel for the petitioner urged at the time of the hearing that the compensation awarded is grossly inadequate. It is submitted that the W.P.(C) 7721/2007 Page 1 of 2 petitioner worked with the respondent for more than ten years. Learned counsel for the petitioner seeks enhancement of compensation to Rs.7.5 lakhs. Reliance is placed on Ashok Kumar v. M/s.Hindustan Vegetable Oil Co. in W.P.(C)12666/2004 decided on 27th July, 2017.

5. There is no appearance on behalf of the respondent despite the matter having been passed over. It is 4.00 P.M. The Managing Director of the respondent was directed to remain present today. The Managing Director of the respondent is not present.

6. This Court is satisfied that the compensation awarded by the Labour Court is inadequate. Considering the length of service of the petitioner and other relevant factors, the compensation awarded by the Labour Court is enhanced from Rs.50,000/- to Rs.4 lakhs.

7. The respondent is directed to pay the enhanced compensation amount within 30 days failing which the respondent shall be liable to pay interest @ 9% per annum.

8. 9. This writ petition is allowed in the above terms. Copy of this judgment be sent to the respondent.

10. Copy of this judgment be given dasti to counsel for the petitioner under the signature of the Court Master. JULY25 2019 dk J.R. MIDHA, J.

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