



CWP-438-2026

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

(112)

CWP-438-2026

Date of Decision : 23.04.2026

M/s Super Metal

...Petitioner

Versus

Shyam Sunder and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Mr. Shiv Kumar, Advocate  
for the petitioner.

Mr. Navmohit Singh, Advocate  
for respondent No.1/workman.

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**KULDEEP TIWARI, J. (ORAL)**

1. Through the instant writ petition, cast under Article 226/227 of the Constitution of India, the petitioner/Management, has challenged the *exparte* award(s) dated 21.05.2018 (Annexure P-5) and dated 24.05.2018 (Annexure P-6), as well as, order dated 16.10.2025 (Annexure P-9), whereby, the application preferred by the petitioner/Management, for setting aside the *exparte* award (supra), was dismissed.

2. Through the impugned award dated 24.05.2018 (Annexure P-6), the reference was answered in favour of the respondent No.1/workman, and he was awarded the relief of reinstatement with continuity of service and 50% back wages.

3. Learned counsel for the petitioner/Management, at the time of issuance of notice of motion, in the instant petition, submitted that they are ready and willing to reinstate the respondent No.1/workman. However, they

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wish to raise the issue only with regard to 50% back wages, awarded to respondent No.1/workman. On the basis of the above submission, for the limited purpose, as to whether, the respondent No.1/workman, is entitled for 50% back wages, or not, notice of motion was issued.

4. Today, learned counsel for the petitioner, as well as, learned counsel for respondent No.1/workman, have reached at consensus that back wages may be reduced to 30%, instead of 50%.

5. In view of the above consensus arrived at between the parties concerned, the instant writ petition is **disposed of**, and consequently, this Court modifies the impugned award dated 24.05.2018 (Annexure P-6), only to the extent, that respondent No.1/workman, is entitled for reinstatement with continuity of service and 30% back wages.

6. The petitioner/Management, shall pay the back wages to respondent No.1/workman, in view of the demand notice served by him.

7. So far as, the issue of rejoining of the respondent No.1/workman is concerned, he is directed to cause appearance before Labour Commissioner concerned, on 30.04.2026, upon which, the latter shall ensure that respondent No.1/workman, joins the duty with the petitioner/Management.

8. Ordered accordingly.

**(KULDEEP TIWARI)**  
**JUDGE**

April 23, 2026  
Manpreet

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