

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 5642/2021

Ram Kishan S/o Sharvan Lal Khumhar, Aged About 40 Years, R/o
Village Post Mandawar, Tehsil Phagi District Jaipur (Raj.)

-----Petitioner

Versus

1. Director, Animal Husbandry Department, Department Of Livestock, Government Of Rajasthan, Jaipur (Raj.)
2. District Livestock Officer, Gopinath Marg, Panch Batti Jaipur, District Jaipur (Raj.)
3. In-Charge, Vaterinary Hospital, Shahpura, District Jaipur (Raj.)

-----Respondents

Connected With

S.B. Civil Writ Petition No. 5941/2021

Shankar Lal Jaat S/o Jagdish Prasad Jaat, Aged About 40 Years,
R/o Village - Kalyanpura Marwi, Post - Hinguniya, Tehsil And
District - Jaipur.

-----Petitioner

Versus

- 1 Directorate, Animal Husbandry Department, Government Of Rajasthan, Jaipur.
- 2 District Livestock Officer, Gopinath Marg, Panch Batti Jaipur, Dist. Jaipur.
- 3 In-Charge, Vaterinary Hospital, Shahpura District, Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 5942/2021

Narveer Singh S/o Madan Singh, Aged About 35 Years, R/o
Village Post - Sedhariya Post - Bichi, Tehsil - Fhagi District-
Jaipur.

-----Petitioner

Versus

1. Director, Animal Husbandry Department, Government Of Rajasthan, Jaipur.
2. District Livestock Officer, Gopinath Marg, Panch Batti Jaipur, Dist. Jaipur.

3. In-Charge, Vateriaary Hospital, Shahpura District, Jaipur.

----Respondents

S.B. Civil Writ Petition No. 5943/2021

Banna Lal Bairwa S/o Kalyan Ram Bairwa, Aged About 50 Years,
R/o Village - Mandap, Post - Chandmakala, Tehsil - Fhagi,
District- Jaipur.

----Petitioner

Versus

1. Director, Animal Husbandry Department, Government Of Rajasthan, Jaipur
2. District Livestock Officer, Gopinath Marg, Panch Batti Jaipur, Dist. Jaipur.
3. In-Charge, Vateriaary Hospital, Shahpura District, Jaipur.

----Respondents

S.B. Civil Writ Petition No. 5944/2021

Suraj Mal Bunker S/o Ram Gopal Bunker, Aged About 40 Years,
R/o Village Post- Didawata, Tehsil - Fhagi, District- Jaipur.

----Petitioner

Versus

1. Director, Animal Husbandry Department, Government Of Rajasthan, Jaipur.
2. District Livestock Officer, Gopinath Marg, Panch Batti Jaipur, Dist. Jaipur.
3. In-Charge, Vateriaary Hospital, Shahpura District, Jaipur.

----Respondents

S.B. Civil Writ Petition No. 5946/2021

Mohan Lal S/o Kalu Ram Bunkar, Aged About 50 Years, R/o
Village Post - Isarwala (Bijoli), Tehsil - Amer District - Jaipur.

----Petitioner

Versus

1. Labour Court No. 2, Through Presiding Officer, Jaipur.
2. Directorate, Animal Husbandry Department, Government Of Rajasthan, Jaipur.
3. District Livestock Officer, Gopinath Marg, Panch Batti Jaipur, Dist. Jaipur.

4. In-Charge, Vateriaary Hospital, Shahpura District, Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 7038/2021

1. Director, Animal Husbandry Department, Rajasthan Jaipur.
2. District Animal Husbandry Officer, Jaipur Rajasthan.
3. In-Charge Veterinary Hospital, Bassi, Jaipur, Rajasthan.

-----Petitioners

Versus

Chotilal S/o Shri Jagdish Narayan, R/o Bassi C/o Shri M.f. Beg,
Boraj Thakur Ka Rasta, Ajmeri Gate, Jaipur.

-----Respondent

S.B. Civil Writ Petition No. 9015/2021

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan

-----Petitioners

Versus

Shri Harjiram Jat S/o Shri Kalyan Mal Jat, R/o Village Pratappura,
Post Chittora Via Renwal Manjhi, Jaipur

-----Respondent

S.B. Civil Writ Petition No. 9016/2021

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan

-----Petitioners

Versus

Shri Narveer Singh S/o Shri Madan Singh, R/o Village Sedharia,
Post Bichi, Tehsil Phagi, District Jaipur



-----Respondent

S.B. Civil Writ Petition No. 9017/2021

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan

-----Petitioners

Versus

Shri Mohan Lal Bunkar S/o Shri Kaluram Bunker, R/o Village Isshala Post Bilochi Via Morija Tehsil Amer, District Jaipur

-----Respondent

S.B. Civil Writ Petition No. 9018/2021

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan

-----Petitioners

Versus

Shri Banna Lal Bairwa S/o Shri Kalyan Ram Bairwa, R/o Village Mandap Post Chandmakalan, Tehsil Phagi District Jaipur Rajasthan

-----Respondent

S.B. Civil Writ Petition No. 9020/2021

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan

-----Petitioners

Versus

Shri Ganeshram Ujjwal S/o Shri Prabhudayal Ujjwal, R/o Village

Post Dinda Via Jobner, Tehsil Sambharlake, Jaipur.

-----Respondent

S.B. Civil Writ Petition No. 9026/2021

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan

-----Petitioners

Versus

Shri Shivram Bairwa S/o Shri Laduram Bairwa, R/o Village Post Nimeda, Tehsil Phagi, District Jaipur.

-----Respondent

S.B. Civil Writ Petition No. 9029/2021

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan

-----Petitioners

Versus

Shri Ghanshyam Verma S/o Shri Hardev Ji Bunkar, Mukam Post Dodsar Via Govindarh (Malikpur) Jaipur.

-----Respondent

S.B. Civil Writ Petition No. 9062/2021

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan

-----Petitioners

Versus

Shri Babulal Arya S/o Shri Bhagwana Arya, R/o Village Gopipura,

Tehsil Kotputli District Jaipur.

-----Respondent

S.B. Civil Writ Petition No. 9063/2021

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan

-----Petitioners

Versus

Shri Ramkishan S/o Shri Shrawan Lal Kumhar, R/o Village Mandawar Tehsil Phagi, District Jaipur.

-----Respondent

S.B. Civil Writ Petition No. 9093/2021

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan

-----Petitioners

Versus

Shri Mool Chand S/o Shri Rudaram Raigar, R/o Village And Post Harsoli, Tehsil Sambhar Lake Via Renwal, Jaipur, Rajasthan.

-----Respondent

S.B. Civil Writ Petition No. 9094/2021

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan

-----Petitioners

Versus

Shri Gumana Ram Meena S/o Shri Birdha Ram Meena, R/o

Mukam Post Toda Meena Via Amer, Tehsil Jamwaramgarh,
District Jaipur Rajasthan.

-----Respondent

S.B. Civil Writ Petition No. 9095/2021

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan

-----Petitioners

Versus

Shri Kanaram Meena S/o Shri Muknaram Meena, R/o Village Govindpura Post Marwa Via Narena Tehsil Sambharlake Panchayat Samiti Dudu, District Jaipur.

-----Respondent

S.B. Civil Writ Petition No. 9123/2021

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan

-----Petitioners

Versus

Shri Chaturbhuj Sharma S/o Shri Mohan Lal Sharma, R/o Village Akhepura, Post Gangati, Tehsil Dudu District Jaipur Rajasthan

-----Respondent

S.B. Civil Writ Petition No. 9125/2021

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan

-----Petitioners

Shri Tarachand Sharma S/o Shri Hariram Sharma, R/o Village
Naurangpura Post Kajpura Via Sambharlake District Jaipur

-----Respondent

S.B. Civil Writ Petition No. 9165/2021

1. Director Animal Husbandry Department, Animal
Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch
Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur
Rajasthan

-----Petitioners

Versus

Shri Surajmal Bunkar S/o Shri Ramgopal Bunkar, R/o Village
Post Didwata, Tehsil Phagi, District Jaipur Rajasthan

-----Respondent

S.B. Civil Writ Petition No. 9166/2021

1. Director Animal Husbandry Department, Animal
Husbandry Department, Government Of Rajasthan Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch
Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur
Rajasthan

-----Petitioners

Versus

Shri Maliram Sharma S/o Shri Nathuram Sharma, R/o Village
Dewan Via Shahpura District Jaipur

-----Respondent

S.B. Civil Writ Petition No. 9402/2021

Ghanshayam Verma S/o Hardev Ji Bunkar, Aged About 53 Years,
R/o Mu. Post Dodasar Via Govindgardh (Malikpur) District-
Jaipur.

-----Petitioner

Versus

1. Director, Animal Husbandary Department, Government Of
Raj. Jaipur

2. District Livestock Officer, Gopinath Marg, Panch Batti Jaipur, Dist. Jaipur.
3. Incharge, Vaterinary Hospital, Shahpura District, Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 9445/2021

Gumana Ram Meena S/o Birdharam Meena, Aged About 47 Years, R/o Mu. Post Toda Meena Via Amer Tehasil-Jamvaramgardh District - Jaipur.

-----Petitioner

Versus

1. Director, Animal Husbandry Department, Government Of Raj. Jaipur.
2. District Livestock Officer, Gopinath Marg, Panch Batti Jaipur, Dist. Jaipur.
3. Incharge, Vaterinary Hospital, Shahpura District, Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 9469/2021

Ganesh Ram Ujjaval S/o Prabhudayal Ujjaval, Aged About 49 Years, R/o Village Post Dhinda Via Jobner Tehsil Sambar Lake District -Jaipur.

-----Petitioner

Versus

1. Director, Animal Husbandry Department, Government Of Raj. Jaipur.
2. District Livestock Officer, Gopinath Marg, Panch Batti Jaipur, Dist. Jaipur.
3. Incharge, Vaterinary Hospital, Shahpura, District, Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 9509/2021

Mali Ram Sharma S/o Nathu Ram Sharma, Aged About 57 Years, R/o Village Post Dewan Via Sahpura, District Jaipur.

-----Petitioner

Versus

1. Director, Animal Husbandry Department, Government Of Raj. Jaipur.
2. District Livestock Officer, Gopinath Marg, Panch Batti

Jaipur, Dist. Jaipur.

3. Incharge, Vaterinary Hospital, Shahpura District, Jaipur.

----Respondents

S.B. Civil Writ Petition No. 5740/2022

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan Jaipur.
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan
3. In-Charge Veterinary Hospital, Shahpura, District Jaipur Rajasthan.

----Petitioners

Versus

Shri Rajkumar Verma S/o Shri Shivchand Verma, R/o Village Churi, Tehsil Kotputli District Jaipur.

----Respondent

S.B. Civil Writ Petition No. 6083/2022

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan, Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan.
3. In-Charge Veterinary Hospital Shahpura, District Jaipur Rajasthan.

----Petitioners

Versus

Shri Shankarlal Sain S/o Shri Jagdish Prasad Sain, R/o Village Vimalpura Via Kaladera District Jaipur

----Respondent

S.B. Civil Writ Petition No. 6084/2022

1. Director Animal Husbandry Department, Animal Husbandry Department, Government Of Rajasthan, Jaipur
2. District Animal Husbandry Officer, Gopinath Marg, Panch Batti Jaipur Rajasthan.
3. In-Charge Veterinary Hospital Shahpura, District Jaipur Rajasthan.

----Petitioners

Versus



Shri Bajrang Singh S/o Shri Mool Singh, R/o Gram Post Nangal Govind Via Badal, tehsil Chomu, District Jaipur

-----Respondent

S.B. Civil Writ Petition No. 7164/2022

Shri Kanaram S/o Shri Mukanaram Meena, R/o Village - Govindpura, Post - Marwa, Vaya- Narana, Tehsil - Sambharlake, P.s. Dudu, District- Jaipur.

-----Petitioner

Versus

1. Director, Animal Husbandry Department, Livestock Department, Government Of Rajasthan, Jaipur.
2. District Livestock Officer, Gopinath Marg, Panch Batti, Jaipur, Dist. Jaipur.
3. In-Charge, Vateriaary Hospital, Shahpura, District, Jaipur.

-----Respondents

For Petitioner(s)	:	Ms. Naina Saraf
For Respondent(s)	:	Ms. Minakshi Jain, GC with Ms. Supriya Sharma Mr. Manoj Sharma, AAG assisted by Mr. Abhishek Sharma and Ms. Pooja Sharma

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

27/02/2026

1. Defects pointed out in some files are ignored and overrurled.
2. All these writ petitions were filed against the award passed by the Labour Court in different LCR matters on a reference made by the Labour Department. Since the issue is identical and similar, therefore, we are disposing of these writ petitions by a common order.
3. These writ petitions were filed with the following prayers:

S.B. Civil Writ Petition No. 5462/2021:

(a) The writ petition may kindly be allowed and the impugned order dated 4.3.2021 passed by learned tribunal and labour court, Jaipur in LCR no.269/2017 (old no. 88/2013) may kindly be quashed and set aside to the extent of awarding compensation of RS.25000/- in lieu of reinstatement of petitioner in services and the respondent may be directed to reinstate petitioner in services with continuity with full of back wages with all consequential benefits.

(b) The petitioner be also granted all the benefits alongwith 24% interest.

S.B. Civil Writ Petition No. 5941/2021:

(a) The writ petition may kindly be allowed and the impugned order dated 4.3.2021 passed by learned tribunal and labour court, Jaipur in LCR no.270/2017 (old no. 89/2013) may kindly be quashed and set aside to the extent of awarding compensation of Rs.25000/- in lieu of reinstatement of petitioner in services and the respondent may be directed to reinstate petitioner in services with continuity with full of back wages with all consequential benefits.

(b) The petitioner be also granted all the benefits alongwith 24% interest.

S.B. Civil Writ Petition No. 5942/2021:

(a) The writ petition may kindly be allowed and the impugned order dated 4.3.2021 passed by learned tribunal and labour court, Jaipur in LCR no.307/2017 (old no. 106/2013) may kindly be quashed and set aside to the extent of awarding compensation of Rs.25000/- in lieu of reinstatement of petitioner in services and the respondent may be directed to reinstate petitioner in services with continuity with full of back wages with all consequential benefits.

(b) The petitioner be also granted all the benefits alongwith 24% interest.

S.B. Civil Writ Petition No. 5943/2021:

(a) The writ petition may kindly be allowed and the impugned order dated 4.3.2021 passed by learned tribunal and labour court, Jaipur in LCR

no.268/2017 (old no. 80/2013) may kindly be quashed and set aside to the extent of awarding compensation of Rs.25000/- in lieu of reinstatement of petitioner in services and the respondent may be directed to reinstate petitioner in services with continuity with full of back wages with all consequential benefits.

(b) The petitioner be also granted all the benefits alongwith 24% interest.

S.B. Civil Writ Petition No. 5944/2021:

(a) The writ petition may kindly be allowed and the impugned order dated 5.3.2021 passed by learned tribunal and labour court, Jaipur in LCR no.306/2017 (old no. 104/2013) may kindly be quashed and set aside to the extent of awarding compensation of Rs.25000/- in lieu of reinstatement of petitioner in services and the respondent may be directed to reinstate petitioner in services with continuity with full of back wages with all consequential benefits.

(b) The petitioner be also granted all the benefits alongwith 24% interest.

S.B. Civil Writ Petition No. 5946/2021:

(a) The writ petition may kindly be allowed and the impugned order dated 5.3.2021 passed by learned tribunal and labour court, Jaipur in LCR no.303/2017 (old no. 101/2013) may kindly be quashed and set aside to the extent of awarding compensation of Rs.25000/- in lieu of reinstatement of petitioner in services and the respondent may be directed to reinstate petitioner in services with continuity with full of back wages with all consequential benefits.

(b) The petitioner be also granted all the benefits alongwith 24% interest.

S.B. Civil Writ Petition No. 7038/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 21.01.2020 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9015/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 04.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9016/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 04.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9017/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 05.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9018/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 04.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9020/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 04.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9026/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 05.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9029/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 04.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9062/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 05.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9063/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 04.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9093/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 05.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9094/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 04.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9095/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 05.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9166/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 04.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9125/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 04.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9165/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 05.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9123/2021:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 04.03.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 9402/2021:

(a) The writ petition may kindly be allowed and the impugned order dated 4.3.2021 passed by learned tribunal and labour court, Jaipur in LCR no.304/2017 (old no. 102/2013) may kindly be quashed and set aside to the extent of awarding compensation of Rs.25000/- in lieu of reinstatement of petitioner in services and the respondent may be directed to reinstate petitioner in services with continuity with full of back wages with all consequential benefits.

(b) The petitioner be also granted all the benefits alongwith 24% interest.

S.B. Civil Writ Petition No. 9445/2021:

(a) The writ petition may kindly be allowed and the impugned order dated 4.3.2021 passed by learned tribunal and labour court, Jaipur in LCR no.311/2017 (old no. 110/2013) may kindly be quashed and set aside to the extent of awarding compensation of Rs.25000/- in lieu of reinstatement of petitioner in services and the respondent may be directed to reinstate petitioner in services with continuity with full of back wages with all consequential benefits.

(b) The petitioner be also granted all the benefits alongwith 24% interest.

S.B. Civil Writ Petition No. 9469/2021:

(a) The writ petition may kindly be allowed and the impugned order dated 4.3.2021 passed by learned tribunal and labour court, Jaipur in LCR no.275/2017 (old no. 97/2013) may kindly be

quashed and set aside to the extent of awarding compensation of Rs.25000/- in lieu of reinstatement of petitioner in services and the respondent may be directed to reinstate petitioner in services with continuity with full of back wages with all consequential benefits.

(b) The petitioner be also granted all the benefits alongwith 24% interest.

S.B. Civil Writ Petition No. 9509/2021:

(a) The writ petition may kindly be allowed and the impugned order dated 4.3.2021 passed by learned tribunal and labour court, Jaipur in LCR no.267/2017 (old no. 79/2013) may kindly be quashed and set aside to the extent of awarding compensation of Rs.25000/- in lieu of reinstatement of petitioner in services and the respondent may be directed to reinstate petitioner in services with continuity with full of back wages with all consequential benefits.

(b) The petitioner be also granted all the benefits alongwith 24% interest.

S.B. Civil Writ Petition No. 5740/2022:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 29.09.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 6083/2022:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 29.09.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 6084/2022:

By an appropriate writ, order and direction in the nature thereof, thereby quashed and set aside the impugned award 29.09.2021 and also to dismiss the statement of claim of the respondent.

S.B. Civil Writ Petition No. 7164/2022:

(a) The writ petition may kindly be allowed and the impugned order dated 5.3.2021 passed by

learned tribunal and labour court, Jaipur in LCR no.274/2017 (old no. 95/2013) may kindly be quashed and set aside to the extent of awarding compensation of Rs.25000/- in lieu of reinstatement of petitioner in services and the respondent may be directed to reinstate petitioner in services with continuity with full of back wages with all consequential benefits.

(b) The petitioner be also granted all the benefits alongwith 24% interest.

4. The material on record indicates that CWP No. 5642/2021 and CWP No. 9063/2021, CWP No. 5941/2021 and CWP No. 6083/2022, CWP No. 5942/2021 and CWP No. 9016/2021, CWP No. 5943/2021 and CWP No. 9018/2021, CWP No. 5944/2021 and CWP No. 9165/2021, CWP No. 5946/2021 and CWP No. 9017/2021, CWP No. 9020/2021 and CWP No. 9469/2021, CWP No. 9029/2021 and CWP No. 9402/2021, CWP No. 9094/2021 and CWP No. 9445/2021, CWP No. 9095/2021 and CWP No. 7164/2022, CWP No. 9166/2021 and CWP No. 9509/2021 are connected as same award is challenged in both the matters. One challenge is made by the workmen, whereas the other is made by the Department.
5. In CWP No. 7038/2021, CWP No. 9015/2021, CWP No. 9026/2021, CWP No. 9062/2021, CWP No. 9093/2021, CWP No. 9123/2021, CWP No. 9125/2021, CWP No. 5740/2022, CWP No. 6084/2022, the award is challenged by the Director, Animal Husbandry, Government Department (employer).
6. The issues which were considered by the Labour Court are as under:

1. Whether there exists a relationship of workmen and employer between the applicant workmen (who raised dispute before conciliation officer) and the employer?
2. Whether raising a labour dispute after a delay is permissible under the law?
3. Whether the termination order of the workmen was unfair and illegal, particularly when the Department has claimed that the they/he were/was engaged as trainee apprentice and not as contractual workmen?
7. Learned counsel appearing on behalf of the workmen submits that there exists a relationship of workman and employer and the same has been considered by the Labour Court in its award. She further submitted that the workmen have rendered more than 240 days of continuous service and were terminated without compliance of the provisions under Section 25F of the Industrial Disputes Act, 1947. She also submitted that the Labour Court has considered the definition as provided under Section 2(s) of the Industrial Disputes Act and further considered the evidence on record and drawn its conclusion.
8. She also referred to the findings recorded by the Labour Court and submitted that this Hon'ble Court cannot enter into factual controversy under Article 226 of the Constitution of India, as the Labour Court is only fact-finding authority for determination of factual issues. She has further submitted that the Labour Court has found that without complying

Section 25F and without following the procedure as prescribed under Sections 25G and 25H of the Industrial Disputes Act, the order of termination was effected by the respondent-employer. She further referred to the facts on record and submitted that at the same place, some persons were continued and regularized in service, thus, this is a case of discrimination with present workmen.

9. Learned counsel appearing on behalf of the applicants further referred to the judgment in the case of **Amit Kumar versus MPPKVV Company Limited and another, Civil Appeal No. .../2025 (arising out of SLP (Civil) No. 20902/2024)**, and submitted that though the workmen are entitled for reinstatement as there is a clear violation of Sections 25F, 25G and 25H of the Industrial Disputes Act, but if lump sum compensation is granted, then it should not be less than ₹1,50,000 per annum for each year of service. She also submitted that the employer has failed to substantiate their defence of trainee by submitting relevant documents before the Labour Court.
10. Aforesaid contentions were opposed by learned counsel appearing on behalf of the employer and also as petitioners in remaining writ petitions, where they have challenged the award. They submitted that there was a scheme of training in the Animal Husbandry Department and under the said scheme, the applicants were selected and, after training, they were deputed in the Animal Husbandry Department on fixed honorarium. They also submitted that at no point of time is a trainee included in the definition of workman under

Section 2(s) of the Industrial Disputes Act. They further submitted that after completion of training, the applicants were required to take steps for self-employment and that the scheme itself was framed to generate self-employment. They also submitted that the Department has provided financial support for self-employment and, in the instant case, there exists no relationship of employer and employee.

11. Learned counsels on behalf of employer/department further referred to the findings recorded by the Labour Court and submitted that the basic elements of control, supervision, power of disciplinary proceedings, and power of termination are missing in the instant case.
12. Learned AAG, Mr. Manoj Sharma submitted that there was no mandate upon the Department to comply with the provisions of Sections 25F, 25G or 25H of the Industrial Disputes Act, as there is not a single iota of evidence to establish a relationship of employer and employee between the parties. He further submitted that under the scheme of TRYSEM (Training of Rural Youth for Self-Employment), the applicants were given training and further practical deployment as part of training in the Animal Husbandry Department, therefore, the applicants do not fall within the definition of Section 2(s) of the Industrial Disputes Act. He further referred the public policy and public exchequer and submitted that, as a matter of public policy, an illegal order should not be sustained as it is contrary to settled norms. He further submitted that unjustifiable payment should not be made from public funds

and, in the instant case, allowing such payment will increase the burden on the State.

13. Heard learned counsel for the parties and perused the material placed on record.
14. After considering the facts of each case, we have drawn the following table summarizing the facts about these petitions:-

(A) In following cases award is challenged by both the parties:

Award Dated	Name of Workman	Writ Petition No.	By Whom	Award Summary
04.03.2021	Ram Kishan	5462/2021	Workman	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
		9063/2021	Department	
04.03.2021	Shankar Lal	5941/2021	Workman	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
		6083/2022	Department	
04.03.2021	Narveer Singh	5942/2021	Workman	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
		9016/2021	Department	
04.03.2021	Banna Lal Bairwa	5943/2021	Workman	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
		9018/2021	Department	
04.03.2021	Suraj Mal Bunker	5944/2021	Workman	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
		9165/2021	Department	
05.03.2021	Mohan Lal	5646/2021	Workman	Termination declared

		9017/2021	Department	illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
04.03.2021	Ganesh Ram Ujjaval	9469/2021	Workman	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
		9020/2021	Department	
04.03.2021	Ghanshyam Verma	9402/2021	Workman	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
		9029/2021	Department	
04.03.2021	Gumana Ram Meena	9445/2021	Workman	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
		9094/2021	Department	
05.03.2021	Shri Kanaram	7164/2022	Workman	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
		9095/2021	Department	
04.03.2021	Mali Ram Sharma	9509/2021	Workman	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
		9166/2021	Department	

**(B) In following cases award is challenged by the employer
(department):**

Award Dated	Name of Workman	Writ Petition No.	By Whom	Award Summary
21.01.2021	Chotilal	7038/2021	Department	Termination declared illegal but instead of reinstatement, one time compensation of ₹75,000/- awarded in favour of workman.
04.03.2021	Harjiram Jat	9015/2021	Department	Termination declared illegal but instead of reinstatement, one

				time compensation of ₹25,000/- awarded in favour of workman.
05.03.2021	Shivram Bairwa	9026/2021	Department	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
05.03.2021	Babulal Arya	9062/2021	Department	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
05.03.2021	Mool Chand	9093/2021	Department	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
04.03.2021	Chaturbhuja Sharma	9123/2021	Department	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
04.03.2021	Tarachand Sharma	9125/2021	Department	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
29.09.2021	Rajkumar Verma	5740/2022	Department	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.
29.09.2021	Bajrang Singh	6084/2022	Department	Termination declared illegal but instead of reinstatement, one time compensation of ₹25,000/- awarded in favour of workman.

15. One of the objections which has been raised in the instant case is that the dispute was raised after a substantial delay

of several years, and in some cases, the delay was approximately or more than 13 years. While forwarding the reference, a specific question is framed regarding the delay and the same was forwarded for adjudication by the Labour Court/Industrial Tribunal.

16. In the entire Industrial Disputes Act, 1947, there is no provision prescribing any period of limitation for raising a dispute before the Conciliation Officer. A dispute can be raised anytime by a workman and, after conciliation, if there is no settlement, the same is forwarded by way of reference to the Labour Court-cum-Industrial Tribunal. In the present case, the specific reference also indicates that there was delay in raising dispute.
17. In case of **the State of Uttarakhand and Anr. vs. Raj Kumar : AIR 2019 SC 310 = (2019) 14 SCC 353**, the issue before the Hon'ble Supreme Court was that almost 25 years after the alleged termination, the workman has filed a petition before the Labour Court questioning the legality and correctness of his termination. The Labour Court has awarded compensation of ₹30,000/- and Hon'ble Supreme Court considering objection regarding delay has enhanced the compensation to ₹1,00,000/-.
18. The delay in raising the dispute affects the chances of reinstatement, but if the order of termination is challenged and the same is found to be unfair and illegal, then the order of reinstatement is not justified. The issue of delay was further considered by Hon'ble Supreme Court in case of

**Ranbir Singh vs Executive Engineer PWD : 2021 AIR
OnLine SC 794.**

19. The legal position clearly indicates that a dispute can be raised anytime, as no limitation is prescribed under the law; but the ground of delay is required to be considered while passing the award, particularly with regard to reinstatement. In case of delay, reinstatement is not a consequential and automatic relief to be granted as a matter of course by the Labour Court. Rather, the law on the point indicates that at the most, lump sum compensation may be awarded.
20. Considering the aforesaid legal position, there is no ground to consider the case of the employer only on the ground of delay. Thus, claim of workmen cannot be defeated on the basis of delay.
21. The legal position clearly indicates that a petitioner has to establish a clear case of patent illegality or perversity on the basis of material placed on record so that the award/judgment passed by the learned Labour Court can be interfered with by this Court under Articles 226 and 227 of the Constitution of India. The burden lies upon the learned Additional Advocate General and counsel for employer to establish that the Labour Court has exceeded its jurisdiction while declaring termination as illegal and unfair.
22. The Labour Court has declared the order(s) of termination as unfair and illegal in all reference but except in one case, has awarded uniform compensation of ₹25,000/- to workmen instead of reinstatement. In one case, the compensation amount is ₹75,000/-.

23. Herein the present case, learned AAG has contended that the individuals were engaged under the TRYSEM Scheme of the Government, namely Training of Rural Youth for Self-Employment. The Labour Court has considered the definition as provided under Section 2(s) of the Industrial Disputes Act, 1947, and same is reproduced as under:

"Wokman" means any person (including an apprentice) employed in any industry to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of employment be express or implied, and for the purposes of any proceeding under this Act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of, that dispute, or whose dismissal, discharge or retrenchment has led to that dispute, but does not include any such person—

- (i) who is subject to the Air Force Act, 1950 (45 of 1950), or the Army Act, 1950 (46 of 1950), or the Navy Act, 1957 (62 of 1957); or
- (ii) who is employed in the police service or as an officer or other employee of a prison; or
- (iii) who is employed mainly in a managerial or administrative capacity; or
- (iv) who, being employed in a supervisory capacity, draws wages exceeding ten thousand rupees per mensem or exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature.

24. The definition clearly suggest that it includes wide range of employees including apprentice. The material on record indicates that the District Rural Development Authority (DRDA) invited applications for training and, according to the applicants, they worked as workmen in the employer's organization, but after some time their services were terminated. The period of work was at least 240 days or more. The admission of the witness produced by the employer was specifically referred to by the Labour Court and, as per payment records, the applicant-workmen had worked with the employer and their services were terminated.
25. Not a single document has been placed on record to show that the engagement of the applicants was purely as trainee(s) or merely to impart practical experience. A copy of the scheme was also not filed on record to canvass the arguments of learned AAG.
26. In case of **Haryana Power Generation Corporation Ltd. v. Harikesh Chand, (2013) 2 SCC 677**, Hon'ble Supreme Court held that apprentice trainees have no statutory right to claim appointment upon completion of training.
27. In case of **Trimbak Rubber Industries Ltd. v. Nashik Workers Union & Ors., (2003) 3 SCC 411**, Hon'ble Supreme Court observed that if an establishment does not have permanent workmen and all persons deployed are termed apprentices, it would be difficult to accept that the entire production activity is being carried out solely by

trainees. If they were trainees, there ought to have been trainers as well.

28. Further, in case of **Lenin Kumar Ray v. M/s. Express Publications (Madurai) Ltd.** **2024 INSC 802**, Hon'ble Supreme Court reiterated that the principal duties are to determine the status of a workman and not merely the designation. Thus, a duty-based test has to be applied in borderline cases.
29. Thus, the material placed on record is required to be examined in light of the aforesaid judgments of the Hon'ble Supreme Court.
30. The CWP No. 7038/2021, CWP No. 9015/2021, CWP No. 9026/2021, CWP No. 9062/2021, CWP No. 9093/2021, CWP No. 9123/2021, CWP No. 9125/2021, CWP No. 5740/2022, CWP No. 6084/2022 were filed by the employer on the ground that there exists no relationship of employer and employee as the applicants do not fall within the definition of "workman."
31. Herein this case, neither the scheme has been placed on record nor any training letter followed by practical deployment has been produced. The averments and material produced before the Labour Court alone can be considered by this Court.
32. The Labour Court has considered the fact that after being selected under the TRYSEM Scheme and imparted training, the applicants were deployed as "Gopal" in nearby veterinary hospitals. The engagement was on fixed remuneration basis, termed as honorarium by learned AAG. Not a single

document has been placed on record to show that during this period the applicants were not required to undertake or perform any duty-related work or that they were merely interns without responsibility.

33. In absence of documentary evidence, it is not possible for this Court to conclude that the Labour Court has overlooked material evidence or drawn an erroneous conclusion contrary to the record. The findings of the Labour Court are based upon the evidence led by both parties and the material clearly indicates that the employer has failed to discharge the burden after the evidence of the applicant-workmen.
34. In absence of any perversity or patent illegality, this Court cannot interfere with the award passed by the Labour Court. The legal position clearly indicates that even if another view is possible, the jurisdiction of this Court under Article 226 of the Constitution of India cannot be exercised to re-appreciate evidence considered by the Labour Court. Thus, the Department-employer has failed to establish that the Labour Court has committed any perversity or illegality in drawing its conclusions.
35. The question now arises whether the applicant-workmen are entitled to automatic reinstatement.
36. The period of engagement is very short, i.e., less than one year. In case of **Bharat Sanchar Nigam Limited v. Bhurumal, (2014) 7 SCC 177**, Hon'ble Supreme Court held that even if the order of termination is violative of the provisions of the Industrial Disputes Act, reinstatement with

full back wages is not automatic and monetary compensation may be granted instead.

37. Herein this case, the material on record clearly indicates that it was a short-term engagement and there are rival claims about the nature of employment, though documentary evidence is lacking. Even otherwise, when the engagement is less than one year and the dispute has been raised after substantial delay, therefore reinstatement of petitioners in SB CWP Nos. 5462/2021, 5941/2021, 5942/2021, 5943/2021, 5944/2021, 5646/2021, 9469/2021, 9402/2021, 9445/2021, 7164/2022, 9509/2021 would not be an appropriate relief.
38. In case of **Amit Kumar v. MPPKVV Company Ltd. & Anr. (supra)** Hon'ble Supreme Court, while considering short-term employment, granted compensation at the rate of ₹1,50,000/- per annum.
39. Herein this case, considering that none of the applicants has crossed the period of one year and the engagement is nearly nine months, the petitioners are entitled to compensation at the rate of ₹1,50,000/- per annum, and accordingly, the award is liable to be modified.
40. In view of the discussion made hereinabove, the writ petitions filed by the employer (CWP No. 9063/2021, CWP No. 6083/2021, CWP No. 9016/2021, CWP No. 9018/2021, CWP No. 9165/2021, CWP No. 9017/2021, CWP No. 9020/2021, CWP No. 9029/2021, CWP No. 9094/2021, CWP No. 9095/2021, CPW No. 9166/2021) are dismissed and the

awards passed by the Labour Court are affirmed, subject to modification in the quantum of compensation.

41. The writ petitions filed by the workmen (SB CWP Nos. 5462/2021, 5941/2021, 5942/2021, 5943/2021, 5944/2021, 5646/2021, 9469/2021, 9402/2021, 9445/2021, 7164/2022, 9509/2021) are partly allowed to the extent that the compensation is enhanced to ₹1,50,000/- to each of these petitioner(s) workmen.
42. The aforesaid amount shall be payable by the employer within a period of 90 days from the date of receipt of certified copy of this order, failing which the amount shall carry interest at the rate of 9% per annum thereafter.
43. The writ petitions No. 7038/2021, 9015/2021, 9026/2021, 9093/2021, 9123/2021, 9125/2021, 5740/2022 and 6084/2022 are hereby dismissed and award passed by the Labour Court is hereby affirmed.
44. Accordingly, all the writ petitions stand disposed of. Miscellaneous applications, if any, also stand disposed of.

(ASHOK KUMAR JAIN),J