

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 883/2022

URN: SAW / 1572U / 2022

Shri Mahamantri Shri Nohanoo Lal Gurjar, Bhartiya Mazdoor Sangh, Jawahar Bazar, Tonk Through Mazdoor Gyan Chand Jain S/o Shri Tara Chand Jain, Aged About 58 Years, Resident Of Near Jain Chatyala Mandir, Manak Chowk, Bazar, Todaraisingh District Tonk (Rajasthan)

----Appellant

Versus

1. Executive Engineer, Irrigation Construction, Division-I, Bisalpur Project, Deoli, Tonk.
2. Assistant Engineer, Construction Sub Division-Ii, Section-I, Bisalpur Project Deoli, Tonk.

----Respondents

For Appellant(s) : Mr. Mirza Faisal Baig

For Respondent(s) : Mr. Basant Singh Chhaba, AAG
Mr. Hardik Singh

HON'BLE MR. JUSTICE INDERJEET SINGH

HON'BLE MR. JUSTICE SANDEEP TANEJA

Order

15/07/2026

This appeal has been filed by the appellant challenging the order dated 21.08.2019 passed by the learned Single Judge, whereby the learned Single Judge has enhanced the compensation from Rs.50,000/- to Additional Rs.1,00,000/-.

Learned counsel for the appellant submits that the appellant has worked with the Department for a period of one year, therefore, the compensation awarded by the learned Single Judge in lieu of reinstatement is very meager.

Mr. Basant Singh Chhaba, learned Additional Advocate General appearing on behalf of the respondents submits that looking to the fact that the workman has worked with the Department only for a period of one year as daily wage worker and reinstatement was not granted by the learned Labour Court. He further submits that the learned Labour Court awarded only Rs.50,000/- as compensation, which was enhanced by the learned Single Judge to Rs.1,00,000/- in addition to already paid. He further submits that no further interference is required in this matter.

Heard learned counsel for the parties and perused the record.

We have gone through the order dated 21.08.2019 passed by the learned Single Judge. The learned Single Judge while passing of the order dated 21.08.2019 observed as under:-

"After hearing the learned counsel for the parties and perusing the record along with impugned order, this Court finds that the Labour Court is correct on merits and the matter does not call for any interference. However, in the interest of justice and looking to the facts as well as the precedent law of the Hon'ble Supreme Court, the respondents are directed to pay enhanced compensation of Rs.1,00,000/- (Rs. 1 lac) in addition to the compensation already paid. The petition stands accordingly disposed of. "

Looking to the short period of work done by the appellant with the Department-respondents, we are in complete agreement with the view taken by the learned Single Judge, hence, the

present appeal stands dismissed. All the pending application(s), if any, also stands disposed of.

The enhanced amount of Rs.1,00,000/- be paid to the appellant within a period of two months, if not already paid by the Department.

(SANDEEP TANEJA),J

(INDERJEET SINGH),J

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