

The Management of M/s. Johnson and Johnson (India) Ltd.

Vs

Its Workmen

Civil Appeal No. 516 (NL) of 1970

(H.R.Khanna, P.N.Bhagwati, Syed M.Fazal Ali JJ)

27.11.1975

ORDER

KHANNA, J. -

1. The services of B. N. Bhasin were terminated by the appellant company with effect from May 1, 1966. Reference was thereafter made to the Labour Court on the point as to whether the termination of the services of Bhasin was wrongful and unjustified and if so, to what relief he was entitled. The Labour Court as per award dated September 9, 1969 held that the termination of service of Bhasin was wrongful and unjustified and he was entitled to full backwages and continuity of service. The appellant company thereafter came up in appeal to this Court by special leave.

2. At the hearing of the appeal, there has been a settlement between the parties and it has been agreed that instead of Bhasin being reinstated by the appellant company he be paid Rs. 10,000 in full and final settlement of his claim. This would be without prejudice to the contention advanced on behalf of the appellant company as to whether salesman is a workman. A sum of Rs. 8,000 is stated to have been already deposited by the appellant company. Bhasin respondent would be entitled to withdraw the same. The appellant shall pay the balance of Rs. 2,000 to Bhasin within one week from today. We accordingly accept the appeal set aside the award and dispose of the appeal in the above terms. There will be no order as to costs.

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