

Shiv Chand

Vs

Presiding Officer, Industrial Tribunal Haryana, Chandigarh and Another

Civil Appeal No. 1957 (NI) of 1979

(P. N. Bhagwati, E. S. Venkatramiah JJ)

06.03.1980

JUDGMENT

BHAGWATI, J. –

1. The parties are agreed that the order impugned in the present appeal be maintained subject to the direction that the appellant shall be re-employed as fresh employee in an equivalent post in the organisation of the second respondent in which he was working prior to the termination of his service, and the period during which he served the second respondent prior to the termination of his service will be taken into account along with the service which he may render now on re-employment for the purpose of award and computation of retirement benefits, namely, provident fund and gratuity. We may make it clear that the appellant will not be entitled to any wages or other benefits in respect of the intervening period between the date of termination of his service and the date of re-employment. The appellant will report at the establishment of the second respondent on April 1, 1980 or failing that on April 2, 1980 and the second respondent will offer him re-employment on the basis which we have indicated above. We order accordingly.

2. There will be no order as to costs in this appeal.

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