

Iron and Metal Traders Pvt. Ltd. Bombay

Vs

M. S. Haskiel and Another

Bombay Metal and Alloys Manufacturing and Alloys Manufacturing Company Private Limited
Bombay

Vs

L. F. Crasto and Others

Civil Appeals Nos. 1521 (NL) and 1522 (NL) of 1978

(D. A. Desai, A. Varadarajan, O. Chinnappa Reddy JJ)

24.08.1983

ORDER

We heard Mr. M. C. Bhandare, learned counsel for the appellants in both the appeals. The disputes involved in these two appeals are with reference to reinstatement of three workmen and back wages for 7 other workman who are refused relief of reinstatement. Mr. Bhandare, learned counsel vehemently argued that the approach of the Tribunal in ordering reinstatement was neither legal nor judicially correct. We heard him and we also looked into the documents which he wanted us to see. We are in agreement with the finding of the Industrial Tribunal that this is a case of discrimination in dealing with the cases of these appellants workmen involved in these two appeals inasmuch as many strikers were reinstated but these respondents were singled out for drastic treatment. the Tribunal ordered reinstatement of three workers and awarded compensation to seven in lieu of relief of reinstatement. The approach of the Tribunal is fair, just and reasonable. We therefore, see no justification for interfering with the award of the Tribunal in respect of these workmen in the dispute. We accordingly dismiss both the appeals with costs quantified at Rs. 1000 in respect of each workman respondent in each of these appeals.

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