

SUPREME COURT OF INDIA

Sukhram Singh

Vs.

Krishi Utpadan Mandi Samiti

(S.B. Majmudar and U.C. Banerjee JJ.)

10.08.2000

ORDER

1. These appeals raise an important question regarding applicability of Payment of Wages Act, 1936 to Mandi Samities, governed by the Uttar Pradesh Krishi Utpadan Adhinyam, 1964. We would have been required to go into this question closely but for the fact that learned Counsel for the appellants fairly stated that the principal amount of claim involved Rs. 9,000/- each, with interest, and if Rs. 25,000/- (Rupees twenty five thousand only) each are paid to the appellants who are already working with the respondent-Mandi Samiti, it would meet the ends of justice.

2. In our view, this is a very fair stand which must be accepted by the respondent-Mandi Samiti for the simple reason that even if they succeed in these appeals, the right of the appellants for filing appropriate application under Section 33-C(2) of the Industrial Disputes Act, 1947 would still survive and future litigation with mounting interest claim of the appellants against the respondent Mandi Samiti would ultimately get foisted on the shoulders of the respondent-Mandi Samiti as the order of the Industrial Tribunal directing reinstatement and payment of back-wages is already final between the parties.

3. Considering all these aspects and without expressing any opinion on the controversy between the parties about applicability of the aforesaid Act to the respondent-Mandi Samiti and keeping that question open, the respondent-Mandi Samiti is directed to pay, towards full and final satisfaction of the appellants' claim in these proceedings, an amount of Rs. 25,000/- (rupees twenty five thousand only) each within eight weeks from today.

4. Subject to this direction the Civil Appeals are disposed of. No costs.