

SUPREME COURT OF INDIA

Deoria Kasia Zila Sahkari Bank Ltd.

Vs.

State of U.P.

C.A.No.3460 of 2006

(Tarun Chatterjee and Aftab Alam JJ.)

16.07.2008

ORDER

1. Heard learned counsel for the parties.
2. In our view, this appeal is concluded by concurrent findings of fact of courts below. The Labour Court and the High Court have come to a finding that respondent No.2 had completed more than 240 days and, therefore, he could not be thrown out without following the provisions under Section 6-N and 6-P of U.P.Industrial Disputes Act. We, therefore, do not find any ground to interfere with the impugned order and the appeal is accordingly dismissed. There shall be no order as to costs.
3. The appellant is directed to reinstate respondent No.2 within six weeks from the date of communication of this order if not already done in the meantime.
4. We also make it clear that respondent No.2 shall not be entitled to any back wages.