

SUPREME COURT OF INDIA

U.P State Electricity Board & Anr.

Vs.

Hydro Electric Employees Union & Anr.

C.A.No.7174 of 2015

(Kurain Joseph and Arun Mishra,JJ.,)

14.09.2015

JUDGMENT

SLP (Civil)No.25263/2013

1. Leave granted.

2. The appellant-Management approached this Court aggrieved by the Award dated 30th October, 1991 passed by the Labour Court-II, U.P., Rampur, directing reinstatement of the two workmen represented by the Respondent No.1-Union. The same was challenged before the High Court in the year 1992. The writ petition was finally decided on 23rd May, 2013, leading to the impugned judgment. The High Court dismissed the writ petition filed by the Management. When the matter came up before this Court, on 23rd August, 2013, this Court stayed the further proceedings subject to the reinstatement of the workmen concerned. Heard the learned counsel for the Management and also the learned counsel appearing for the respondents. We are of the view that there is no justification in the claim made by the respondent-union for back wages from the date of termination.

3. Having regard to the facts and circumstances of the case, we feel that the interest of justice would be served if the back wages are limited to the period from the date of the Award.

4. Accordingly, the appeal is disposed of declaring that the workmen concerned are entitled to the back wages with effect from 30th October, 1991.

5. Needless to say that the Award will operate with regard to the continuity of service etc., from the date granted by the Labour Court.

6. The eligible benefits shall be disbursed within a period of one month from the date of receipt of this Judgment.