



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**WRIT - C No. - 9647 of 2026**

M/S Shubham Goldie Masale Private Limited

.....Petitioner(s)

Versus

Presiding Officer, Labour Court (Ii) And Another

.....Respondent(s)

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|                           |   |                                 |
|---------------------------|---|---------------------------------|
| Counsel for Petitioner(s) | : | Chandra Bhan Gupta, Harsh Gupta |
| Counsel for Respondent(s) | : | C.S.C., Ranjeet Kumar Mishra    |

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**Court No. - 37**

**HON'BLE VINOD DIWAKAR, J.**

1. Heard learned counsel for the petitioner, learned counsel for respondent no. 2, and perused the record.
2. The brief facts of the case are that the petitioner is a Private Limited Company engaged in the business of manufacturing spices, having its establishment at Kanpur. The respondent no. 2 was working as a peon with the petitioner-company and his services were allegedly terminated on 21.01.2025. Aggrieved thereby, the respondent no. 2 raised an industrial dispute before the Labour Court, which culminated in an award directing reinstatement of respondent no. 2.
3. Learned counsel for the petitioner submits that the services of respondent no. 2 were never terminated by the petitioner and that the respondent no. 2 had, on his own, stopped reporting for duty. It is thus contended that there was no termination in the eyes of law and, therefore, the findings recorded by the Labour Court are erroneous. Learned counsel for the petitioner fairly submits that the petitioner is ready and willing to take respondent no. 2 back in service.
4. Learned counsel for the respondent no. 2 submits that, in case the petitioner is ready and willing to take respondent no. 2 back in service, he has no objection to such reinstatement.
5. In view of the statement made by learned counsel for the petitioner that the petitioner is ready and willing to reinstate respondent no. 2, the issue that survives for consideration, at this stage, is limited to the question of back wages.

6. Accordingly, learned counsel for respondent no. 2 is directed to file a counter affidavit within a period of four weeks. Rejoinder affidavit, if any, may be filed within two weeks thereafter.

7. The petitioner is also directed to file, by means of a supplementary affidavit, the complete order sheet of the proceedings before the Labour Court, so as to ascertain as to on whose part delay, if any, was occasioned during the course of the proceedings.

8. Put up this case as fresh on 8.7.2026.

**April 6, 2026**  
Anil K. Sharma

**(Vinod Diwakar,J.)**