

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 230 OF 2005

DEPUTY EXCISE & TAXATION COMMNR., ROHTAK .....APPELLANT

(S)

VERSUS

MOHINDER SINGH .....RESPONDENT  
DENT

(S)

O R D E R

Heard learned counsel for the appellant.

Though a question was raised before the High Court about the acceptability of the stand of the respondent that he was workman and it was

submitted that the Excise Department cannot be said to be an industry, we find that

no such stand was taken before the Labour Court and, on the contrary, it appears

to have been conceded during the course of arguments that the management is

covered under the definition of "industry". Therefore, we do not think it proper to

examine that question. The same can be examined in an appropriate case where the

relevant materials are placed on record. It is to be noted that while issuing notice,

the scope of Special Leave Petition was confined to the question of back

wages.

Considering the period for which the back wages are to be paid and the other

relevant aspects, we restrict the quantum to 25% of the back wages .

The appeal is disposed of accordingly.

No order as to costs.

.....J.

...

RIJIT PASAYAT )

( A

.....J.

....

K. THAKKER )

( C.

NEW DELHI ;

SEPTEMBER 15, 2005.

ITEM NO.105

COURT NO.7

SECTION XV

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
CIVIL APPEAL NO(s). 230 OF 2005

DEPUTY EXCISE & TAXATION COMMNR., ROHTAK

Appellant (s)

VERSUS

(With prayer for interim relief and office report )

Date: 15/09/2005 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT  
HON'BLE MR. JUSTICE C.K. THAKKER

For Appellant(s)

Mr.Manjit Singh, Adv.  
Mr.Harikesh Singh, Adv.

4

Mr.T.V.George,Adv.

For Respondent(s)

Mr. Debasis Misra,Adv.(NP)

UPON hearing counsel the Court made the following  
O R D E R

The appeal is disposed of in terms of the signed order.

No order as to costs.

( Satish K. Yadav )

Court Master

( Vijay Aggarwal )

Court Master

( Signed order is placed on the file )