

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 16 OF 2016
[@ SPECIAL LEAVE PETITION (C) NO. 7361 OF 2007]

STATE OF GUJARAT & ANR. Appellant (s)

VERSUS

DHANBHAI G. GOHIL (D) TH. LRS. & ORS. Respondent(s)

O R D E R

Leave granted.

The State is in appeal against the award passed by the Labour Court for reinstatement of the respondents-workmen with 50% back wages and which order has been confirmed by the High Court.

Having regard to the material available on record, we do not find any justification for the award of 50% back wages in view of the long delay. Therefore, the direction regarding back wages of 50% is reduced to 25%. In all other respects, the impugned order is upheld. The consequential benefits, if any, would be worked out and disbursed by the appellant-State within a period of three months, failing which the respondents-workmen would be entitled to interest at the rate of 12% and the officer/s responsible for the delay would be personally liable for the portion of interest.

With the above directions, the appeal is allowed to the above extent with no order as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[ROHINTON FALI NARIMAN]

New Delhi;
January 04, 2016.

ITEM NO.205

COURT NO.12

SECTION XV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 7361/2007

(Arising out of impugned final judgment and order dated 07/09/2006 in CA No. 19101/2006,07/09/2006 in CA No. 19102/2006,07/09/2006 in CA No. 19103/2006,07/09/2006 in CA No. 19104/2006,07/09/2006 in CA No. 19105/2006,07/09/2006 in CA No. 19106/2004,07/09/2006 in CA No. 19107/2004,07/09/2006 in CA No. 19108/2004,07/09/2006 in CA No. 19109/2004,07/09/2006 in CA No. 19110/2004,07/09/2006 in CA No. 19111/2004,07/09/2006 in CA No. 19112/2004 passed by the High Court Of Gujarat At Ahmedabad)

STATE OF GUJARAT & ANR.

Petitioner(s)

VERSUS

DHANBHAI G. GOHIL (D) TH. LRS.& ORS.

Respondent(s)

(with interim relief and office report)

Date : 04/01/2016 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Ms. Hemantika Wahi, Adv.

For Respondent(s) Mr. Rajiv Kumar, Adv.
Mr. Sunil Kumar Sethi, Adv.
for Mr. Rameshwar Prasad Goyal, Adv.

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

Leave granted.

The Civil Appeal is allowed in terms of the signed order.

Pending interlocutory applications, if any, are disposed of.

(Jayant Kumar Arora)
Sr. P.A.

(Renu Diwan)
Court Master

(Signed order is placed on the file)