

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). 4213 OF 2006

SONEPAT COOP. SUGAR MILL LTD.

Appellant (s)

VERSUS

SATYA NARAIN

Respondent(s)

WITH
Civil Appeal NO. 4214 of 2006
Civil Appeal NO. 4215 of 2006
(With office report)

Date: 14/07/2010 This Appeal was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE T.S. THAKUR

For Appellant(s) Mr. Manoj Swarup, Adv.
Mr. Devesh Kumar Tripathi, Adv.
Mr. Ashok Anand, Adv.

For Respondent(s) Ms. Kanchan Shukla, Adv.
Ms. Ekta Kadyan, Adv.for
Ms. Kamakshi S. Mehlwal, Adv.

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

The Appeals are allowed in terms of the signed
order. No costs.

(Parveen Kr. Chawla)
Court Master

(Indu Satija)
Court Master

[signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4213 OF 2006

Sonepal Coop. Sugar Mill Ltd.

..Appellant

versus

Satya Narain

..Respondent

WITH

CIVIL APPEAL NO.4215 OF 2006
CIVIL APPEAL NO.4214 OF 2006

O R D E R

Civil Appeal No.4213 of 2006

Heard learned counsel for the parties.

This Appeal has been filed against the impugned judgment of the High Court of Punjab & Haryana at Chandigarh dated 21st March, 2005 passed in civil writ petition No. 14733 of 2002.

By the impugned order, the High Court, while admitting the writ petition, directed the appellant to pay wages under Section 17B of the Industrial Disputes Act, 1947 (for short 'the Act').

In our opinion, Section 17B of the Act has no application in this case at all because Section 17B of the Act applies when there is a termination of service. In this case, there is no termination of service but only reversion of the concerned employee. Hence, Section 17B of the Act has no application.

Consequently, this appeal is allowed and the

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impugned order of the High Court is set aside. No costs.

Civil Appeal Nos.4215 and 4214 of 2006

Since, the point involved in these appeals is the same as in Civil Appeal No. 4213 of 2006, the order passed by us today in Civil Appeal No. 4213 of 2006 shall govern in these appeals in the same terms. No costs.

.....J.
[MARKANDEY KATJU]

NEW DELHI;
JULY 14, 2010

.....J.
[T.S. THAKUR]