

ITEM NO.5

COURT NO.10

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). 13689/2013

(Arising out of impugned final judgment and order dated 05/11/2012 in LPA No. 1276/2012 in SCA No. 4906/2008 passed by the High Court of Gujarat at Ahmedabad)

APOLLO TYRES LIMITED

Petitioner(s)

VERSUS

HAMINDER SINGH SAIHGAL

Respondent(s)

(With prayer for interim relief and office report)

Date : 26/08/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s) Mr. Chandra Udai Singh, Sr. Adv.
Mr. Sanjay Kapur, A.O.R. (NP)
Ms. Leela Vishwanath, Adv.
Ms. Priyanka Das, Adv.

For Respondent(s) Ms. Jesal, Adv.
Ms. Hemantika Wahi, Adv.

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

Having heard learned counsel for the parties,
we find that there is no scope for interfering with
the judgment impugned in this Special Leave
Petition. However, since the respondent has
already reached the age of superannuation even if
the Award of the Labour Court is to be implemented

as per the calculation of the petitioner itself the amount due and payable will work out to Rs.7,14,976/- (Rupees Seven Lakh fourteen thousand nine hundred seventy six) which can be rounded off to Rs.7,15,000/-(Rupees Seven lakhs fifteen thousand). Though Mr. C.U. Singh, learned senior counsel for the petitioner attempted to pick holes in the Award based on the earlier judgment of the learned Single Judge dated 2nd July, 2007, having perused the earlier Award as well as the subsequent Award and the order of the Division Bench, we are not inclined to interfere with the impugned judgment. Therefore, to put an end to the long drawn litigation, the petitioner is directed to pay the sum of Rs.7,15,000/- (Rupees Seven lakhs fifteen thousand) to the respondent in full and final settlement of all his claims including the claims based on the Award dated 29th October, 2007 passed by the Labour Court, Vadodara, Gujarat in Industrial Disputes Reference No. 1200 of 2004. The petitioner is, however, permitted to withdraw the sum of Rs. 1 lakh which was deposited by the respondent with the Labour Court to the credit of

the aforesaid Reference Number with all accrued interest if any. The payment of Rs.7,15,000/- (Rupees Seven Lakhs fifteen thousand) shall be made to the respondent within a period of four weeks from today.

The Special Leave Petition is disposed of in the above terms.

[KALYANI GUPTA]
COURT MASTER

[SHARDA KAPOOR]
COURT MASTER