

State Bank of India  
Appellant

....Appellant

Versus

Shyam Singh Chauhan & Anr.  
Respondents

...Respondents

O R D E R

Leave granted.

This appeal has been preferred by the State Bank of India against the judgment and order dated 10th December, 2012 passed by the High Court of Madhya Pradesh at Jabalpur in W.P.(C) No. 4572/1999. By the impugned judgment, the High Court affirmed the Award dated 29th July, 1999 passed by the Central Government Industrial Tribunal cum Labour Court, Jabalpur whereby the Tribunal reinstated Respondent No.1 in the service of the Bank with all backwages.

In subsequent to certain arguments and suggestions between the parties, they had reached upon an agreement.

Having heard the learned counsel for the parties we intend to modify the Award dated 29th July, 1999, as affirmed by the High Court, in the manner as recorded below:

- a) Retrenchment of Respondent No.1 as declared illegal by Tribunal is confirmed.
  - b) In view of such declaration, the respondent-workman will get the following consequential benefits
- instead of reinstatement:

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Rajni Mukhi  
Date: 2014.07.30  
15:48:03 IST

Respondent No. 1 will get wages in terms of Section

Reason:

17B of the Industrial Disputes Act, 1947 from the

date of award i.e. 29th July, 1999 till the actual

- ii) Respondent No. 1 shall be paid a minimum amount of Rs. 6.5 lakhs for the rest of the period of service minus the amount which has already been paid since 25th March, 2014.
- iii) If any wages of the past period has been paid by the Bank in favour of Respondent No. 1 by cheque and the same has been encashed by the respondent, the Bank may also adjust such amount. However, if the said amount has not been encashed, the Bank may pay the total dues in terms of the order.



Leave granted.

The appeal stands disposed of in terms of the Signed Order.

[RAJNI MUKHI]

SR. P.A.

(Signed Order is placed on the file)

[USHA SHARMA]

COURT MASTER