

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.4420/2001@@  
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State of Haryana

Appellant (s)

VERSUS

Mohan Lal

Respondent(s)

Date : 14.01.2003 This appeal was called on for hearing today.@@  
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CORAM :@@  
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HON'BLE MR. JUSTICE K.G. BALAKRISHNAN@@  
AA

HON'BLE MR. JUSTICE P. VENKATARAMA REDDY@@  
AA

For Appellant (s) Mr. Aditya Kumar Chaudhary,Adv. for  
Mr. Ranbir Yadav,Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

.....L.....I.....T.....T.....T.....T.....T.....J.  
.SP2

Heard the learned counsel for the appellant for five  
minutes.  
The appeal stands dismissed.

.SP1  
(Y.P.Dhamija) (K.K. Chadha)@@  
AA  
Court Master Court Master@@  
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Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4420/2001@@  
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State of Haryana .....Appellant(s)

Vs.

Mohan Lal .....Respondent(s)

O R D E R@@  
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State of Haryana is the appellant before us. The respondent herein was working as a daily wager in Forest Department of the State of Haryana. He was engaged from December 1993. His services were terminated in 1995. After the termination he preferred a demand on 24.4.1996 and the Government of Haryana referred the matter to the Labour Court. Labour Court held that the respondent had worked for about 246 days in the previous year and the termination of his services was without following of section 25-F of the Industrial Disputes Act and the appellant was directed to reinstate the respondent with 40% back wages. We are told that the appellant had already reinstated the respondent and the direction to pay 40% of back wages alone is challenged before us.

We have heard the learned counsel for the appellant. Though respondent was served with notice he had not chosen to appear before us. The counsel for the appellant points out

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that though the respondent was terminated in September 1995, the claim itself was forwarded in 1998. But this plea appears to be not correct as in the impugned order itself the Labour Court has stated that the respondent made a demand on 24.9.1996. The appellant has also contended that the respondent was never engaged as Beldar, as contended but he was working on a daily wages. It may be noted that the appellant did not produce any document before the Labour Court to substantiate the contention. We do not find any reason to deny the back wages already ordered by the Labour Court. The judgment of the High Court does not call for any interference. The appeal stands dismissed.

NEW DELHI,  
JANUARY 14, 2003

.....J.  
( P.VENKATARAMA REDDY )