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CIVIL APPELLATE JURISDICTION@@
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CIVIL APPEAL NO. 2312 OF 2001@@
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(Arising out of S.L.P.(C) No.15691/1998)

M/s. Shriram Refrigeration IndustriesAppellant(s)

versus

Hon'ble Addl.Industrial Tribunal cum
Addl.Labour Court, Hyderabad & Ors. ...Respondent(s)

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Delay condoned.
Leave granted.

This appeal impugns the order of the High Court on a writ petition. The High Court dismissed the writ petition but affirmed the right of the appellant-Management to hold a disciplinary enquiry after fresh notice to the respondent-workman. The Labour Court in its award, which was impugned before the High Court, had ordered reinstatement. The respondent-workman had been working as a Security Guard. The plea before us was that the appellant-Management had lost all confidence in the respondent-workman. Since the element of confidence is necessary insofar as a security guard is concerned, notice was issued on the special leave petition limited to the question of compensation to the respondent-workman in lieu of his reinstatement.

From time to time the matter was adjourned to enable the parties to try and work out what that compensation should be. But
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they have failed to do so. Having regard to the fact that the respondent-workman had been engaged on 7th July 1982, only three years of service were left and he was drawing Rs.3045/- per month, we are of the view that the compensation in lieu of reinstatement should be fixed at Rs.2,25,000/- (Rupees two lakhs and twenty five thousand). The amount shall be paid within six weeks.

Order on the appeal accordingly.
No order as to costs.

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.....J.
(S.P. Bharucha)

.....J.
(Doraiswamy Raju)

.....J.
(Y.K. Sabharwal)

New Delhi,
March 23, 2001.