

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7945 OF 2011  
(Arising out of SLP(C) No.1327/2007)

STATE OF M.P. AND ANR. Appellant(s)  
:VERSUS:  
BABULAL Respondent(s)  
WITH

CIVIL APPEAL NOS. 7975-7977 OF 2011  
(Arising out of SLP(C) Nos.12772-12774/2007)

CIVIL APPEAL NOS. 7947-7949 OF 2011  
(Arising out of SLP(C) Nos.11981-11983 /2007)

CIVIL APPEAL NOS. 7950-7952 OF 2011  
(Arising out of SLP(C) Nos.13378-13380 /2007)

CIVIL APPEAL NOS. 7953-7955 OF 2011  
(Arising out of SLP(C) Nos.13382-13384/2007)

CIVIL APPEAL NOS. 7956-7958 OF 2011  
(Arising out of SLP(C) Nos.14208-14210/2007)

CIVIL APPEAL NOS. 7959-7961 OF 2011  
(Arising out of SLP(C) Nos.13087-13089/2007)

CIVIL APPEAL NOS. 7962-7964 OF 2011  
(Arising out of SLP(C) Nos.13098-13100/2007)

CIVIL APPEAL NOS. 7965 OF 2011  
(Arising out of SLP(C) No.11483/2008)

CIVIL APPEAL NOS. 7966-7968 OF 2011  
(Arising out of SLP(C) Nos.16694-16696/2008)

CIVIL APPEAL NOS. 7972-7974 OF 2011  
(Arising out of SLP(C) Nos.16115-16117/2008)

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O R D E R

1. Leave granted in all the matters.
2. We have heard the learned counsel for the parties.
3. The respondents in these appeals were working as daily rated employees in a project of the Public Health Engineering Department, Respondent No.2 herein. Their services were discontinued after the

completion of the project. They filed an application under the M.P. Industrial Relations Act and the Labour Court passed an order directing their reinstatement with back-wages.

4. Respondent No.2 preferred an appeal before the Industrial Court and the Industrial Court allowed the appeal and set aside the order of the Labour Court. The respondents challenged the order of the Industrial Court before the High Court.

5. Learned Single Judge of the High Court allowed the writ petition filed by the respondents and set aside the order passed by the Industrial Court and restored the order passed by the Trial Court with a modification that the appellants shall be liable to pay 25% back-wages to the respondents from the date they were discontinued.

6. The appellants filed a writ appeal before the High Court which was dismissed on the ground that the power, which the learned Single Judge exercised against the order passed by the Labour Court and the Industrial Court, was under Article 227 of the Constitution. The appellants are thus before this Court.

7. In the peculiar facts and circumstances of these cases, we deem it appropriate to direct that the respondents be reinstated in service without back-wages. However, the State would be at liberty to give them employment wherever it is possible. We expect the State to ensure giving employment to the



(FOR FINAL DISPOSAL)

SLP(C) NO. 14208-14210 of 2007  
(With appln(s) for c/delay in filing SLP and office report)  
(FOR FINAL DISPOSAL)

SLP(C) NO. 13087-13089 of 2007  
(With office report) (FOR FINAL DISPOSAL)

SLP(C) NO. 13098-13100 of 2007  
(With office report) (FOR FINAL DISPOSAL)

SLP(C) NO. 11483 of 2008  
(With appln(s) for c/delay in filing SLP and office report)  
(FOR FINAL DISPOSAL)

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SLP(C) NO. 16694-16696 of 2008

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(With appln(s) for c/delay in filing SLP and office report)  
(FOR FINAL DISPOSAL)

SLP(C) NO. 16115-16117 of 2008  
(With appln(s) for c/delay in filing SLP and office report)

Date:15/09/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI  
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr. B.S. Banthia,Adv.  
Mr. Vikas Upadhyay,Adv.  
for Ms. Vibha Datta Makhija,Adv.

For Respondent(s) Mr. Ardhendumauli Kumar Prasad,Adv.  
Dr. Kailash Chand,Adv.  
  
Mr. Kishan Datta,Adv.

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

Delay condoned. Leave granted.

Heard the learned counsel for the parties.

The impugned order passed by the High Court is modified and the appeals are disposed in terms of the signed order. Parties are directed to bear their own costs.

(A.S. BISHT)  
COURT MASTER

(SHASHI BALA VIJ)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)