

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).18028/2013

(From the judgement and order dated 27/03/2013 in WA No.6569/2012 of The  
HIGH COURT OF KARNATAKA AT BANGALORE)

THE MGT.OF M/S STRIDES ARCO LAB.LTD.

Petitioner(s)

VERSUS

SRI NARAYANAPPA

Respondent(s)

(With appln(s) for and prayer for interim relief and office report)

Date: 01/11/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s)

Ms. Meenakshi Arora, Sr.Adv.  
Mr. Mohit D. Ram, Adv.  
Mr. Vasav Anantharaman, Adv.

For Respondent(s)

Mr. Girish Ananthamurthy, Adv.  
Mrs. Vaijyanthi Girish, Adv.

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

Learned counsel for the petitioner-Management submitted that the management did not dispense with the services of the respondent for any illness whatsoever including the fact that he was infected with the H.I.V. It was submitted that the services of the respondent was dispensed with as he had voluntarily abandoned the service and refused to offer himself for the job and on account of continued and long absence, the petitioner-management was compelled to dispense with the services of the respondent and not due to any ailment as already stated hereinbefore.

Counsel for the respondent-workman also could not convince us that the respondent had been removed from service not on account of absence but illness. This question could have been decided by us on the judicial side but it seems that neither parties are interested in prolonging this litigation and, therefore, the petitioner-management has agreed to settle the dispute by offering a sum of Rupees Ten Lakhs to the respondent which he has agreed to accept by way of full and final settlement as he is still conducting agricultural operations and is primarily an agriculturist.

It was explained by the counsel representing the petitioner that this amount of Rupees Ten Lakhs be treated as sufficient compensation towards back wages for the period of service which the respondent would have rendered if he had been reinstated after meticulous calculation of amount towards back wages by the petitioner-management

We make it clear that the respondent could not establish that his services had been dispensed with on account of any illness. Be that as it may, the special leave petition stands disposed of in view of the settlement. The amount should be paid to the respondent by way of a demand draft within a period of four weeks from today.

COURT MASTER

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