

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. \_\_\_\_\_ OF 2024  
(ARISING OUT OF SLP (CIVIL) NOS. 26726-26727 OF 2010)

M/S BOULA CHROMITE MINES

Appellant(s)

VERSUS

AKSHAYA KUMAR POHI (DEAD) THR. LRS.

Respondent(s)

**O R D E R**

Leave granted.

2. Heard Mr. Kumar Rajesh Singh, learned counsel appearing for the appellant. Also heard Ms. Gitanjali Krishan, learned counsel appearing for the respondent (workman).

3. The respondent was terminated and thereafter the Industrial Tribunal passed an Award on 08.01.1993 (Annexure P/4) ordering for reinstatement of the workman with full back wages. The Management filed petition before the High Court challenging the Tribunal's Award but the same was dismissed on the ground that the Management's Case No. 975 of 1993 has become infructuous as the Award was long passed and published.

4. In the impugned order dated 05.05.2008, the High Court allowed the workman's Writ Petition with the observation that as the Award was not challenged within thirty days of being published in the Gazette on 17.02.1993, it becomes binding on all parties. The review filed by the appellant was dismissed by the High Court.

5. Looking at the basis for the impugned order dated 05.05.2008 in the OJC No. 5072 of 1999 granting relief to the workman, we see

no reason to entertain the challenge of the Management to the Award passed as far back as on 08.01.1993. The appeals are accordingly dismissed.

6. As some amount deposited by the appellant is kept in the Registry, the balance sum be released to the respondent(s) including interest, if any.

7. Pending application(s), if any, shall stand closed.

.....J.  
(HRISHIKESH ROY)

.....J.  
(PRASHANT KUMAR MISHRA)

NEW DELHI;  
JANUARY 16, 2024.

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

Petitions for Special Leave to Appeal (C) No(s). 26726-26727/2010

(Arising out of impugned judgment and order dated 05-05-2008 in OJC No. 5072/1999 20-04-2010 in RP No. 123/2008 passed by the High Court of Orissa at Cuttack)

M/S BOULA CHROMITE MINES

Petitioner(s)

VERSUS

AKSHAYA KUMAR POHI (DEAD) THR. LRS.

Respondent(s)

Date : 16-01-2024 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY  
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. Praveen Kumar, AOR  
Mr. Kumar Rajesh Singh, Adv.  
Ms. Sunaina Kumar, Adv.

For Respondent(s) Mr. Ashok Panigrahi, AOR  
Ms. Geetanjali Das Krishnan, Adv.  
Mr. Nabab Singh, Adv.

UPON hearing the counsel the Court made the following

## O R D E R

Leave granted.

The appeals are dismissed in terms of the signed order.

As some amount deposited by the appellant is kept in the Registry, the balance sum be released to the respondent(s) including interest, if any.

Pending application(s), if any, shall stand closed.

(NITIN TALREJA)  
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)