

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 2995 OF 2010

Rajasthan Gramin Bank and another ..Appellants

versus

Bhanwar Lal Meena ..Respondent

O R D E R

We have heard learned counsel for the parties.

It appears that on 17.09.1981, the respondent was appointed by the appellant-Bank to the post of Messenger-cum-Farash with effect from 1.10.1981. The case of the appellant-Bank is that with effect from 1.8.1983 the respondent absented himself from duties. The say of the learned counsel for the respondent, however, is that he was denied employment as some other person had been appointed in his place. After protracted litigation, it has been ordered that the respondent be reinstated, albeit without back wages.

In the similar circumstances of the case, the approach taken by this Court in Assistant Engineer, Rajasthan State Agriculture Marketing Board, Kota vs. Mohan Lal (2013) 14 SCC 543 commends itself to us. In that case also, there was a delay in raising the industrial dispute. Considerable time had elapsed during which the workman had not been employed by the appellant. Keeping in view these facts, as also that the workman in that case had worked only for 286 days, a Bench of

this Court directed to award a compensation of Rs.1,00,000 (rupees one lakh) in lieu of reinstatement.

Following the aforesaid approach in the factual matrix of the case in hand, especially that the respondent-workman had worked only for one and a half years, though, according to the learned counsel for the respondent, the respondent had been denied employment because some one else had been appointed, we think that it would be appropriate to give a quietus to the litigation by directing the appellants to pay a sum of Rs.1,50,000/- (rupees one lakh fifty thousand) in full and final settlement of all the claims of the respondent-workman.

The appeal is accordingly disposed of by directing the appellants to pay a sum of Rs.1,50,000/- (rupees one lakh fifty thousand) to the respondent-workman within sixty days from today, in full and final settlement of all the respondent's claims against the appellants. There shall be no order as to costs.

Needless to mention that in case of default in making the afore-mentioned payment, the same shall carry interest at the rate of nine per cent per annum.

.....J.
[VIKRAMAJIT SEN]

NEW DELHI;
AUGUST 27, 2014.

.....J.
[ARUN MISHRA]

ITEM NO.103

COURT NO.14

SECTION XV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 2995/2010

RAJASTHAN GRAMIN BANK & ANR.

Appellant(s)

VERSUS

BHANWAR LAL MEENA
(with office report)

Respondent(s)

Date : 27/08/2014 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAMAJIT SEN
HON'BLE MR. JUSTICE ARUN MISHRAFor Appellant(s) Mr. Rajesh Kumar, Adv.
for Mr. Yashraj Singh Deora, AOR(NP)For Respondent(s) Dr. J. P. Dhanda ,Adv.
Mr. N.A. Usmani, Adv.UPON hearing the counsel the Court made the following
O R D E R

The appeal is disposed of in terms of the signed order.

(Parveen Kr. Chawla)
Court Master(Phoolan Wati Arora)
Assistant Registrar

[signed order is placed on the file]