

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.10564 OF 2010

State of M.P. & Anr.

... Appellants

VERSUS

Sewaram

... Respondent

WITH

CIVIL APPEAL NO.10565 OF 2010

O R D E R

Heard Ms. Sakshi Kakkar, learned counsel for the appellants.

None appeared for the respondents.

The present appeals have been preferred against the orders passed by the learned single Judge of the High Court in Writ Petition Nos.4022 of 2007(S) and 6407 of 2007(S) whereby the learned single Judge has concurred with the award dated 26.10.2006 passed by the Labour Court whereby it has directed reinstatement of the workmen. The High Court in the writ petition has affirmed the order of reinstatement. Aggrieved thereby, the State preferred the present appeals by special leave.

On a perusal of the award, it is clear as day that the  
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respondents have rendered service for more than four years and  
Gulshan Kumar Arora  
Date: 2015.09.03  
17:20:06 IST  
Reason:

their services were dispensed with without taking recourse to the provision enshrined under Section 25-F of the Industrial Disputes  
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Act, 1947. It is also noticeable that the respondents had raised the dispute after expiry of 10 months.

Regard being had to the aforesaid facts and circumstances, we are inclined to modify the award as well as the order passed by

the High Court directing that the employer shall pay a sum of Rs.2,00,000/- to each of the employees who are the respondents in these two appeals within a period of three months from today. The said amount shall be deposited before the concerned Labour Court. The Labour Court shall disburse the amount to the respondents on proper identification.

We may, however, hasten to add that if the respondents/employees have been reinstated, they shall continue and no amount shall be paid.

The appeals stand disposed of accordingly. There shall be no order as to costs.

.....,J.  
(Dipak Misra)

.....,J.  
(R. Banumathi)

New Delhi;  
August 27, 2015.  
ITEM NO.103

COURT NO.4

SECTION XV

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

Civil Appeal No(s). 10564/2010

STATE OF M.P.& ANR.

Appellant(s)

VERSUS

SEWARAM

Respondent(s)

(with office report)

WITH

C.A. No. 10565/2010  
(With Office Report)

Date : 27/08/2015 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA  
HON'BLE MRS. JUSTICE R. BANUMATHI

For Appellant(s) Ms. Sakshi Kakkar, Adv.

For Respondent(s)

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

The appeals stand disposed of in terms of the signed order.

(Gulshan Kumar Arora)  
Court Master

(H.S. Parasher)  
Court Master

(Signed order is placed on the file)