

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1553 of 2017  
(Arising out of SLP(C)No.22735 of 2015)

GENERAL MANAGER JAL SANSTHAN JHANSI Appellant(s)

VERSUS

ADDITIONAL LABOUR COMMISSIONER, JHANSI & ORS. Respondent(s)

O R D E R

Leave granted.

This appeal arises out of judgment and order dated 24<sup>th</sup> July, 2015 passed by the High Court of Judicature at Allahabad in Civil Misc. Writ Petition NO.39717 of 2015.

Heard learned counsel for the parties.

Respondent No.3, Dayanand, was daily-wager in the service of Jal Sansthan Jhansi. After eight years of service, on 10<sup>th</sup> August, 1988 his services were dispensed with. The said respondent was reinstated with 25% back-wages by the labour Court. The High Court has directed payment of Rs.6,00,000/- (Rupees six lakhs) to respondent no.3 herein by way of an interim arrangement.

Learned counsel for the appellant states that a sum of Rs.5,34,800/-, has already been paid to respondent no.3.

It is well-settled that a daily-wager cannot be reinstated to a public employment. He is entitled to suitable compensation depending on length of service rendered and other

circumstances. Thus, in the present case the payment made to respondent no.3 may be treated to be full and final settlement of all his claims. Any other proceedings, relating to the dispute, will stand closed.

If the amount of Rs.5,34,800/- has not been paid, as claimed by learned counsel for the appellant, it will be open to respondent no.3 to recover the same by filing an execution application before the labour court.

In view of above, the appeal is disposed of. No costs.

Applications, if any, shall also stand disposed of.

.....J.  
(ADARSH KUMAR GOEL)

.....J.  
(UDAY UMESH LALIT)

New Delhi,  
February 6, 2017.

ITEM NO.51

COURT NO.11

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

Petition(s) for Special Leave to Appeal (C) No(s). 22735/2015

(Arising out of impugned final judgment and order dated 24/07/2015 in WC No. 39717/2015 passed by the High Court Of Judicature at Allahabad)

GENERAL MANAGER JAL SANSTHAN JHANSI

Petitioner(s)

VERSUS

ADDITIONAL LABOUR COMMISSIONER, JHANSI &amp; ORS.

Respondent(s)

(With interim relief and office report)

Date : 06/02/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mrs. Mona K. Rajvanshi, Adv.  
Mr. Anurag Kashyap, Adv.For Respondent(s) Mr. H.P. Chakravarti, Adv.  
Mr. S.K. Nigam, Adv.UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

In terms of the signed order, the appeal is disposed of.

No costs.

(MAHABIR SINGH)  
COURT MASTER(VEENA KHERA)  
COURT MASTER

(Signed order is placed on the file)