

ITEM NO.13

COURT NO.9

SECTION XV

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

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 20006/2019

(Arising out of impugned final judgment and order dated 18-07-2018 in DBSAW No. 410/2018 passed by the High Court Of Judicature For Rajasthan At Jaipur)

RAM BHAROSI

PETITIONER

VERSUS

PRINCIPAL RAJRISHI COLLEGE ALWAR & ANR.

RESPONDENTS

Date : 06-08-2024 This petition was called on for hearing today.

CORAM : HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s)

Mr. A K Tripathy, Adv.
Mr. Ikshit Singhal, Adv.
Ms. Samata Pushkarna Mishra, Adv.
Ms. Dibya Kumari, Adv.
Mr. Jaswant Singh, Adv.
Mr. Jagtar Singh, Adv.
Mr. Rajinder Singh, Adv.
Mr. Puneet Bholia, Adv.
Mr. Chandrakant Sukumar Sarkar, Adv.
M/S. Mukesh Kumar Singh And Co., AOR

For Respondent(s)

Mr. Nishanth Patil, AOR
Mr. Ayush P Shah, Adv.
Mr. Vignesh Adithiya S, Adv.

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

1. The petitioner is aggrieved by an order dated 18th July, 2018, passed by the High Court of Rajasthan at Jaipur in an intra-Court appeal preferred by the respondents-College against an order passed by the learned Single Judge on 12th September, 2017.
2. In terms of the impugned order, the Division Bench examined the records and was of the opinion that instead of reinstating the petitioner in service with back wages in terms of the award passed by the Labour Court on 21st July, 2000, and upheld by the learned Single Judge, it would be appropriate to pay a lumpsum compensation of ₹1,50,000/- (Rupees One Lakh Fifty Thousand) to the petitioner.
3. Learned counsel for the petitioner submits that the Division Bench ought to have given a reasonable amount as compensation to the petitioner, particularly, since there is gross violation of Section 25F of the Industrial Disputes Act, 1947.
4. We may note that on 13th August, 2019, a limited notice was issued by this Court on the aspect of appropriate compensation.
5. Having gone through the records and facts of the case, we are of the opinion that ends of justice would be met if the respondents are directed to pay a sum of ₹5,00,000/- (Rupees Five Lakhs) to the petitioner, instead of

₹1,50,000/- (Rupees One Lakh Fifty Thousand) as directed under the impugned judgment, in full and final settlement of all his claims against the respondent.

6. Ordered accordingly.

7. The respondents are directed to pay a sum of ₹5,00,000/- (Rupees Five Lakhs) to the petitioner after adjusting the amounts already paid, within four weeks from today. In the event the aforesaid amount is not paid within the stipulated time, the same shall carry interest at the rate of 9% per annum till the date of realisation.

8. The Petition for Special Leave to Appeal is disposed of on the above lines.

(POOJA SHARMA)
COURT MASTER (SH)

(DIVYA BABBAR)
COURT MASTER (NSH)