

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8641 OF 2010
(Arising out of SLP(C) No.20964/2007)

VEGETABLE VITAMINE FOOD COMPANY LTD. Appellant(s)
:VERSUS:
CHETAN KUMAR DHIRAJLAL GANDHI Respondent(s)

O R D E R

1. The respondent was working as a Helper with the appellant company. When the appellant removed him from service, he raised an industrial dispute which was referred to the Labour Court for adjudication. The Labour Court passed an award on 29.12.2000 directing the respondent to be reinstated in service with 50% back-wages.

2. The appellant challenged the Labour Court award before the High Court. The learned Single Judge of the High Court by the impugned judgment dated 12.07.2007 upheld the award of the Labour Court and dismissed the writ petition.

3. The appellant preferred special leave petition before this Court against the judgment of the High Court.

4. Leave granted.

5. We have heard the learned counsel for the parties.

6. During the pendency of this matter, pursuant to the order of this Court, the appellant had deposited Rs.1.75 lakhs in the Registry of this Court which was invested in fixed deposit in a nationalised bank. We direct the Registry to hand over that amount, with interest, to the respondent Chetan Kumar Dhirajlal Gandhi, after proper verification.

7. In the facts and circumstances of this case, we are of the considered view that the ends of justice would meet if the appellant pays a further sum of Rs.1 lakh to the respondent within three weeks from today, in lieu of reinstatement. We direct accordingly.

8. The award of the Labour Court and the impugned judgment of the High Court are accordingly modified. This appeal is disposed of leaving the parties to bear their costs.

.....J
(DALVEER BHANDARI)

.....J
(Dr. MUKUNDAKAM SHARMA)

.....J
(ANIL R. DAVE)

NEW DELHI;
OCTOBER 05, 2010.

