

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5393 OF 2016
[@ SPECIAL LEAVE PETITION (C) NO. 8836 OF 2015]

DIVISIONAL MANAGER AND ORS. Appellant(s)

VERSUS

VINAYAK CHINTAMAN GAWANDE AND ORS. Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.
2. The appellants are aggrieved by the award passed by the Labour Court, Chandrapur, Maharashtra dated 23.09.2005, whereby the respondents have been directed to be reinstated with back wages. The award was set aside by the Industrial Court at Chandrapur, Maharashtra. The High Court upheld the award.
3. When the matter came up before this Court, the following order was passed on 30.03.2015 :-

"Issue notice limited to the question of back wages for the period between 30th June, 2000 till the date of reinstatement. The petitioners are directed to regularise the service of the respondents with effect from 30th June, 2000.

Until further orders, there shall be stay of back wages."

4. Thus, the only dispute is on back wages. It is fairly agreed by the learned counsel on both sides that there is no adjudication on this aspect before the Labour Court in the order dated 23.09.2005.

5. Hence, restricting the adjudication to the claim of back wages, we remit the matter to the Labour Court, Chandrapur, Maharashtra.

6. The parties shall appear before the Labour Court on 08.08.2016. The Labour Court shall adjudicate on this aspect of back wages expeditiously and preferably within six months thereafter.

7. Till the matter is disposed of by the Labour Court, the interim order passed by this Court on stay of back wages shall continue.

8. With the above observations and directions, this appeal is disposed of.

No costs.

JUDGMENT

.....J.
[KURIAN JOSEPH]

.....J.
[ROHINTON FALI NARIMAN]

New Delhi;
JUNE 29, 2016.