

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.11772 OF 2016

[ARISING FROM SPECIAL LEAVE PETITION (C) NO.5560/2016]

VASHRAMBHAI DHANABHAI VEGAD APPELLANT(S)

VERSUS

STATE OF GUJARAT AND ORS. RESPONDENT(S)

J U D G M E N T

KURIAN, J.

1. Leave granted.
2. The appellant is aggrieved since the award in his favour has been interfered by the High Court. As per the Award passed by the Labour Court, the appellant was to be reinstated in service with 20% back-wages. However, as per the High Court, a lumpsum compensation of Rs.50,000/- (Rupees Fifty Thousand) was just and proper.
3. Having heard the learned counsel for both the sides and having gone through the materials on record and taking note of the fact that for twenty years, though intermittently, the appellant had been working, the compensation awarded by the High Court is too meager.
4. Therefore, though we agree with the High Court that the reinstatement is not the proper relief that should have been granted to the appellant, a compensation to the tune of Rs.5,00,000/- (Rupees Five Lacs) would be just and proper in the peculiar facts of the case without being treated as a precedent. Ordered accordingly.

5. The amount shall be paid within two months from today. If the said amount is not paid within the time granted, the appellant is entitled to interest @ 12% per annum and the persons concerned for the delay shall be held personally responsible.

6. With the above observations and directions, the appeal stands disposed of.

7. Pending applications, if any, stand disposed of.

8. No costs.

.....J.
[KURIAN JOSEPH]

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

NEW DELHI;
DECEMBER 05, 2016.



JUDGMENT