

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 1840/2018
(ARISING FROM SLP (C) NO.29788/2014)

BABURAO DADU SANKPAL(D) THR L.Rs.

APPELLANT(S)

VERSUS

KOLHAPUR ZILLA SAHAKARI DOODH UTPADAK SANGH,
KOLHAPUR & ORS.

RESPONDENT(S)

J U D G M E N T

KURIAN, J.

Leave granted.

2. The legal representatives of the deceased-Baburao Dadu Sankpal are before this Court. The deceased was an employee in the Respondent No.1 Sangh and he was terminated from service on the ground of unauthorized absence. He entered the service in 1986 and, according to the Management of the respondent No.1, he was absent from October, 1994. In 1996, the deceased was terminated from service. He approached the Labour Court. The Labour Court set aside the punishment holding also that it was disproportionate. The Management moved the Industrial Court, which set aside the Award passed by the Labour Court and took

the view that the punishment was not disproportionate. That view was upheld by the High Court.

3. During the pendency of the proceedings before the High Court, it appears, the workman expired in the year 2013 and thus legal representatives of the deceased are on the party array.

4. Having heard the learned counsel on both the sides and having regard to the fact that the alleged termination is of the year 1996 and also that it has come in evidence that the deceased owned a truck, we are of the view that the interest of justice would be subserved in case a reasonable compensation is awarded to the legal representatives of the deceased.

5. Accordingly, this appeal is disposed of, having regard to the facts and circumstances of the case, with a direction to Respondent No.1 to pay one-time compensation of Rs.2,00,000/- (Rupees Two Lacs) in respect of the entire claims arising out of the service of the deceased-Baburao Dadu Sankpal under Respondent No.1. The amount, as above, shall be paid within a period of three months.

6. We make it clear that there shall not be any other claim in respect of the service of the deceased-Baburao Dadu Sankpal.

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

8. There shall be no orders as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[MOHAN M. SHANTANAGODAR]

NEW DELHI;
FEBRUARY 12, 2018.