

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CAW NO.1667/2015 IN WRIT PETITION NO.2911/1989 [D]

[National Organisation of Insurance Workers and others .vs. The Life Insurance Corporation of India
and one]
with

CAW NO.1666/2015 IN WRIT PETITION NO.672/1990 [D]

[National Organisation of Insurance Workers and others .vs. The Life Insurance Corporation of India
and others]
with

CAO NO.1474/2015 AND MCA ST. NO.15574/2015 IN WRIT PETITION
NO.2401/1992 [D]

[National Organisation of Insurance Workers and one .vs. The Life Insurance Corporation of India and
others]
with

CAO NO.1475/2015 AND MCA ST. NO.15576/2015 IN WRIT PETITION
NO.2400/1992 [D]

[National Organisation of Insurance Workers and others .vs. The Life Insurance Corporation of India
and others]
with

CAO NO.1476/2015 AND MCA ST. NO.15532/2015 IN WRIT PETITION
NO.1006/1990 [D]

[National Organisation of Insurance Workers and others .vs. The Life Insurance Corporation of India
and others]
with

CAO NO.1477/2015 AND MCA ST. NO.15535/2015 IN WRIT PETITION
NO.671/1990 [D]

[National Organisation of Insurance Workers and others .vs. The Life Insurance Corporation of India
and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.S. Ghate, counsel for the applicants-petitioners,
Shri P.P. Kothari, counsel for the respondents.

CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.

DATED : OCTOBER 13, 2015.

Heard.

Since a common question falls for consideration in these civil applications in the writ petitions, they are heard together and are decided by this common order.

The applicants were the original petitioners in the writ

petitions, that are disposed of either by speaking orders or dismissed in default. All the applicants were the employees of the respondent-Life Insurance Corporation of India and the services of the applicants had been terminated at the relevant time when the writ petitions were filed. The applicants had challenged the orders of termination and had sought regularization of their services. At the relevant time, the National Tribunal at Delhi was considering an issue in respect of termination of similar employees of the Life Insurance Corporation and it was held that their termination was not just and proper and they were entitled to be regularised. The order of the Tribunal was challenged by the Corporation before the Delhi High Court. The Delhi High Court reversed the order of the Tribunal and held that the employees were not entitled to any relief, much less the relief of regularization of their services. On the basis of the judgment of the Delhi High Court, some of the petitions filed by the present applicants were dismissed. In two of such petitions, this court granted liberty to the applicants to move this court, in case the Delhi High Court judgment was challenged before the Hon'ble Supreme Court and was reversed. The judgment of the Delhi high Court was challenged before the Hon'ble Supreme Court, after the writ petitions filed by the applicants were disposed of and the Hon'ble Supreme Court has allowed the Special Leave Petitions filed by the employees. It is informed by the learned counsel for the parties that the award of the Tribunal at Delhi has been confirmed by the Hon'ble Supreme Court and the question, whether the employees should be reinstated or some monetary benefits should be granted to them, is still under consideration of the Hon'ble Supreme Court. It is stated that, in view of the liberty granted by this Court in a couple of writ petitions, similar direction could be issued to the respondent-corporation, for either reinstating the applicants or granting monetary benefits to them, as would be decided by the Hon'ble Supreme Court.

Shri Kothari, the learned counsel for the respondent-corporation, fairly states on the basis of the affidavit-in-reply filed on behalf of the corporation that the corporation would consider the applications made by each of the applicants for their regularization –

grant of monetary benefits, and such benefits as are decided by the Hon'ble Supreme Court, would be granted to the eligible applicants. It is stated that the corporation would consider the applications of each of the applicants and grant the benefit in accordance with the order of the Hon'ble Supreme Court to the eligible applicants. It is stated that as far as possible, a decision would be taken on the applications of the applicants, within a period of three months, from the date of the final order of the Hon'ble Supreme Court in the pending matters and/or as the Hon'ble Supreme Court so directs.

Shri Ghate, the learned counsel for the applicants-petitioners, states that the grievance of the applicants would stand redressed, in view of the statement made on behalf of the respondent-corporation.

Hence, by accepting the statement made on behalf of the respondent-corporation, which would be binding on the corporation, we dispose of the applications.

JUDGE

JUDGE

Gulande