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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL No. 175 OF 2009
IN
WRIT PETITION No. 3855 OF 2000

M/s. Vidyut Metalics Pvt. Ltd. ... Appellant / Petitioner
Vs.
Smt. Kusum Yellapurkar & Anr. ... Respondents

None for the Appellant / Petitioner.
None for the Respondent.

CORAM : V. M. KANADE, &
N. M. JAMDAR, JJ.

DATE : JUNE 12, 2017

PC.

1. None appears on behalf of the Appellant and the Respondents. We have perused the impugned orders passed by the learned Single and the learned Industrial Court and the record in the present case. We are of the view that the learned Single Judge has given cogent reasons for dismissing the writ petition filed by the Appellant and came to a conclusion that there is no need to interfere

with the order passed by the Industrial Court. In the present case an inquiry was held against the Respondents on various grounds, but primarily on the ground that Respondent No. 1 had adopted go-slow tactics and was loitering in the factory premises. The Inquiry Officer held that the Appellant / Petitioner herein had proved that the Respondent No. 1 had indulged in go slow tactics, and in view of the report given by the Inquiry Officer, the services of Respondent No. 1 were terminated on 16.6.1987.

2. Respondent No. 1 filed a complaint in the Labour Court against her dismissal from services. The Labour Court came to the conclusion that the charge of loitering in the premises is not proved however, it felt that the charge of willful slowing down of work was proved. The Labour Court, however, partly allowed the complaint and directed the Appellant to pay rehabilitation compensation of Rs.63,000/- besides paying legal dues, payable to the Respondent. Being aggrieved by the said order, Respondent No. 1 preferred a revision before the Industrial Court. The Industrial Court by a detailed order came to a conclusion that the finding given by the Labour Court is perverse. The Industrial Court directed the Appellant Company to

reinstate Respondent No. 1 with continuity in service with 50% back-wages. It further came to a conclusion that the Respondent had already retired from the service and therefore she is entitled to the back-wages.

3. This order was confirmed by the learned Single Judge, who has in his detailed order considered all the aspects of the matter. We do not see any infirmity in the impugned order. Appeal is therefore dismissed.

Sd/-
[N. M. JAMDAR, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemath