

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 24 OF 2018

ZUARI INDUSTRIES LTD., REP. BY ITS
AUT. REP., ALBERT MASCARENHAS., ... Petitioner

Versus

ROQUE GLENITO FURTADO AND ANR., ... Respondents

Shri Jamshed P. Cama, Senior Advocate with Shri Girish K. Sardesai and Shri A. Carvalho, Advocates for the Petitioner.
Respondent No. 1 in person.

Coram:- C. V. BHADANG, J.

Date:- 24th October 2018

OPERATIVE ORDER:

- (a) The petition is partly allowed.
- (b) The part of the impugned award, holding the action of the management of M/s Zuari Industries Limited, Goa in discharging/terminating the services of the respondent no. 1 with effect from 02.09.2007, being illegal and unjustified, is hereby confirmed.
- (c) The petitioner (party no. II) is directed to pay to the respondent no. 1 (party no. I) an amount equivalent to full back wages for the period from the date of discharge, till the date of superannuation, alongwith all consequential benefits, including the benefits of all the settlements.
- (d) The extension of benefits of all the settlements to the respondent no. 1, shall be subject to an individual undertaking

being furnished by the respondent no. 1 to the petitioner, unconditionally accepting all such settlements, which have been entered into with the majority Union. The undertaking shall be furnished within four weeks from today.

(e) The petitioner shall deposit the aforesaid amount before the Tribunal, within a period of sixty days from the date of furnishing of the undertaking, failing which, the amount shall carry interest at the rate of 9% per annum.

(f) If the undertaking as above is not furnished, the petitioner shall pay the back wages with all admissible benefits, on the basis of last drawn wages of the respondent no. 1 on the date of discharge, within sixty days from the expiry of the period for filing the undertaking, failing which, the amount shall carry interest at the rate of 9% per annum.

(g) The respondent no. 1 shall also be entitled to costs of Rs.1 lakh.

(h) Rule is made absolute in the aforesaid terms.

C. V. BHADANG, J.

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