

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

WRIT PETITION NO. 4023/2019

MD, FDCM Ltd. & ors.

..VS..

Member, Industrial Court & anr.

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

Court's or Judge's orders

Shri V.M. Gadkari, Advocate for the petitioner(s)

CORAM : Z.A.HAQ, J.

DATED : 13/06/2019

Heard.

The petitioner – employer has challenged the order passed by the subordinate Courts concurrently holding that the respondent no. 2 – employee is entitled for Rs. 2,00,00/- towards compensation in lieu of reinstatement and other reliefs. Both the Courts have granted relief to the respondent no. 2 – employee, relying on the judgment delivered by the Hon'ble Supreme Court in the case of Bharat Sanchar Nigam Ltd. vs. Mansing reported in (2012) 1 SCC at page 558 and the judgment given by this Court in Writ Petition No. 5144/2015.

The claim of the respondent no. 2 – employee is opposed by the employer mainly on the ground that the employee initiated the proceedings belatedly, and therefore in view of the judgment delivered by this Court in Writ Petition No. 3400/2016 (Devidas S/o Sadashiv Sukhdeve & ors. vs. Managing Director, FDCM & ors.) on 30/01/2017, the

employee is not entitled for compensation of Rs. 2,00,000/-.

After going through the impugned orders, I find that they cannot be faulted with and it cannot be said that the subordinate Courts have exceeded their jurisdiction by granting Rs. 2,00,000/- to the respondent no. 2 – employee towards compensation. All the relevant aspects are considered by both the Courts.

I see no reason to interfere with the impugned orders.

Hence, the writ petition is **dismissed**. No costs.

JUDGE

Ansari