

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

WRIT PETITION NO. 2480/2021

(SUNIL BRIJLAL GANVIR **VERSUS** THE G.M. SOUTH EAST CENTRAL RAILWAY, BILASPUR & ANOTHER)

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

Court's or Judge's order

Shri N.W. Almelkar, counsel for the petitioner.

Shri N.P. Lambat, counsel for the respondents.

CORAM : A. S. CHANDURKAR AND M.W. CHANDWANI, JJ.

DATE : OCTOBER 19, 2022.

By this writ petition, the petitioner seeks a direction to be issued against the respondents to comply with the award dated 29.08.2019 passed by the Central Government Industrial Tribunal, Nagpur. By that award, the petitioner was held entitled for the post of Gangman. In addition, he was granted compensation of Rupees Fifty Thousand on account of delay in making his appointment.

In the reply filed on behalf of the respondents it has been stated that the petitioner was issued an offer of appointment on 01.02.2022 and pursuant thereto the petitioner has joined the services on the post of Multi Tasking Staff (MTS). Thus, the prayer as made for compliance with the award stands satisfied. The amount of Rupees Fifty Thousand has also been received by the petitioner.

The learned counsel for the petitioner submits that though the award was passed on 29.08.2019 it was complied with by offering employment only on 01.02.2022. He seeks additional compensation for the delay in compliance with the award.

On 17.10.2022, we had put it to the learned counsel for the petitioner that this aspect would be considered by keeping in mind the amount of lumpsum compensation awarded to the petitioner by the Tribunal. The learned counsel sought time to take instructions in that regard.

Today, it is submitted that the petitioner would invoke the jurisdiction of the appropriate forum under Section 33-C(2) of the Industrial Disputes Act, 1947.

With aforesaid liberty to the petitioner, the writ petition is disposed of.
No costs.

(M.W. CHANDWANI, J.)

(A. S. CHANDURKAR, J.)

APTE