

SAiL Contract Workers' Union Vs. SAiL and Ors.

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Court : Supreme Court of India

Decided On : Mar-02-1994

Reported in : JT1994(3)SC455; 1993(1)KarLJ439; (1994)IILLJ1125SC; (1994)2UPLBEC1290

Judge : Kuldeep Singh and; N.P. Singh, JJ.

Acts : [Industrial Disputes Act, 1947](#) - Sections 10(1)

Appeal No. : Civil Appeal No. 1994 (Arising out of SLP (C) No. 168/1994)

Appellant : SAiL Contract Workers' Union

Respondent : SAiL and Ors.

Judgement :

ORDER

1. Special leave granted.

2. This appeal has arisen from a reference made by the Karnataka Government under Section 10(1)(c) of the [Industrial Disputes Act, 1947](#). The reference was in the following terms:

I. Are the Management of Steel Authority of India, Kudremukh Building, M.G. Road B'lore - 1, justified in refusing work to 80 workmen listed in ANNEXURE with effect from 19-01-1979 employed through their Contractor Sri Jayarama Reddy, No.884,

11th Main 'A', 3rd Cross, Indiranagar, Bangalore -38?

II. 'If not, to what relief the workmen are entitled?'

3. The Labour Court gave its award in favour of the workmen. The management challenged the award by way of a writ petition under Article 226 of the Constitution of India. A learned single Judge of the High Court dismissed the writ petition. The Letters Patent Bench of the High Court, however, reversed the findings of the learned single Judge, allowed the appeal and set aside the award of the Labour Court. This appeal by the workmen is against the judgment of the Division Bench of the High Court.

4. We have heard learned Counsel for the parties. It is not necessary for us to go into the merits of the controversy. Keeping in view the facts and circumstances of this case, we are of the view that the interest of justice would be met if each of the 80 workmen involved in this litigation is paid a sum of Rs. 25,000/- (twenty five thousand) as ex-gratia payment by the management. We order accordingly. The management shall pay the amount of Rs. 25,000/- to each of the appellants-workmen by a demand draft after identifying the workmen. The payment in respect of the workmen who have died during the pendency of the litigation be given to their legal heirs.

5. We are ordering the ex-gratia payment to the workmen keeping in view the chequered history of the case and as such this shall not be taken as a precedent.

6. Since the workmen have been engaged in this litigation for a very long time and have been pushed from one court to another, we further direct that the respondent-management shall pay a sum of Rs.25,000/- to the appellants as costs.

7. The management shall pay the amount to each of the workmen within the period of four months from today. The appeal is disposed of and the Division Bench order shall stand modified to the extent indicated above.