

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 32072/2021

(Arising out of impugned final judgment and order dated 11-01-2017 in WPC No. 2002/2002 11-11-2021 in RVWPET No. 77/2017 passed by the High Court Of Orissa At Cuttack)

MAHANADI COALFIELDS LTD.

Petitioner(s)

VERSUS

BRAJRAJNAGAR COAL MINES WORKERS UNION

Respondent(s)

([HEARD BY: HON. PAMIDIGHANTAM SRI NARASIMHA AND HON. SANDEEP MEHTA, JJ.].....FOR ADMISSION and I.R. and IA No.5852/2022-
CONDONATION OF DELAY IN FILING)

Date : 12-03-2024 This petition was called on for pronouncement of judgment today.

For Petitioner(s) Mr. Soumyajit Pani, Adv.
Mr. Siddharth Jain , AOR

For Respondent(s) Mr. Ashok Kumar Panda, Sr. Adv.
Mr. Tejaswi Kumar Pradhan, AOR
Mr. Manoranjan Paikaray, Adv.
Mr. Shashwat Panda, Adv.
Mr. Ritwik Kumar, Adv.

Hon'ble Mr. Justice Pamidighantam Sri Narasimha pronounced the judgment of the Bench comprising His Lordship and Hon'ble Mr. Justice Sandeep Mehta.

Delay condoned.

Leave granted.

The appeals stand dismissed in terms of the signed reportable judgment. Paragraphs 24 and 25 of the Judgment read as under:-

"24. With respect to payment of backwages, we are of the opinion that the workmen will be entitled to backwages as observed by the Industrial Tribunal. However, taking into account, the long-drawn litigation affecting the workmen as well as the appellant in equal measure and taking into account the public interest, we confine the

backwages to be calculated from the decision of the Tribunal dated 23.05.2002. This is the only modification in the order of the Tribunal, and as was affirmed by the judgment of the High Court.

25. For the reasons stated above, the appeals arising out of the final judgment and order of the High Court in W.P. (C) No. 2002/2002 and order in Review Petition No. 77/2017 are dismissed with the direction that the concerned workmen shall be entitled to backwages with effect from 23.05.2002. There shall be no order as to costs."

Pending application(s), if any, stand disposed of.

(KAPIL TANDON)
COURT MASTER (SH)

(NIDHI WASON)
COURT MASTER (NSH)

(Signed Reportable Judgment is placed on the file.)