
(2016) 07 SC CK 0126

In the Supreme Court Of India

Case No : Civil Appeal No. 5446 of 2016 (@ Special Leave Petition (C) No. 13866 of 2013)

B.S.N.L.

APPELLANT

Vs

Pawan Kumar Shukla

RESPONDENT

Date of Decision : 01-07-2016

Acts Referred:

Constitution of India, 1950 — Article 133

Citation : (2016) 6 JT 354 : (2016) 14 SCC 665 : (2016) 4 SLR 749

Hon'ble Judges : Kurian Joseph and Rohinton Fali Nariman, JJ.

Bench : Division Bench

Advocate : Ankur Mittal, Abhay Gupta, Advocates, for the Appellant; Vishwajit Singh, Piyush V., Gaurav Tripathi, Ms. Veera Kaul Singh, Praveen Chaturvedi, Manoj Prasad, Advocates, for the Respondent

Final Decision : Dismissed

Judgement

Kurian, J.—Leave granted.

2. Having regard to the nature of work, for which the respondents-workmen were engaged and having regard to the submission that the project is already over, we are of the view that the interest of justice would be met if a lumpsum compensation is awarded to the workmen.

3. Therefore, in full and final settlement of all the claims available to the respondents-workmen in respect of their daily waged engagement under the appellant, the respondents-workmen shall be paid compensation to the tune of Rs. 3,00,000/- (Rupees Three Lakhs) each.

4. We make it clear that in case, the appellant-BSNL engages any fresh daily wagers, the respondents-workmen shall be given preference.

5. The compensation shall be paid within six weeks from today.

6. With the above observations and directions, the appeals are disposed of.

No costs.

Civil Appeal No. 5448 Of 2016 (@ Special Leave Petition (C) No. 35884 Of 2013).

B.S.N.L. - Appellants

Versus

Mohd. Jamey & Anr. - Respondents

Kurian, J.—Leave granted.

2. We are informed that the respondent-workman has been working in the appellant-establishment for the last 13 years. In that view of the matter, we are not inclined to exercise our jurisdiction, particularly in view of the fact that the respondent-workman is engaged as a Driver.

3. The appeal is, accordingly, dismissed.

4. No costs.