

**THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM
LABOUR COURT, JABALPUR**

NO. CGIT/LC/C/01/2023

Present: P.K.Srivastava

H.J.S..(Retd)

Babulal Dikshit

S/o. Shri Mishrilal Dikshit

H.No. 189, Bheem Nagar,

Birla Mandir Road, Bhopal (M.P.)

Workman

Versus

Assistant General Manager

State Bank of India,

Regional-1, Zonal Office

Hamidiya Road, Bhopal M.P.

Management

(J U D G M E N T)

(Passed on this 24th day of April-2025)

The Award holder/ workman has filed this petition under Section 33(c)(2) of the Industrial Disputes Act 1947 (in short the 'Act') for calculation and payment of his wages on the basis of wages fixed by Collector for the period April-2014 to December-2022. Management has preferred written objection.

Heard argument of learned Counsel Shri Ashok Shrivastava for Applicant/workman and learned Counsel Shri Vijay Tripathi for management Bank. Perused record.

On perusal of record in the light of rival arguments the only point arises for determination is whether the petitioner is entitled to wages what he was paid as last drawn or wages as fixed from time to time

under Minimum Wages Act. Reference of Section 17-B of the Act is required which is being reproduced as follows :-

***17B.** Payment of full wages to workman pending proceedings in higher courts.—Where in any case, a Labour Court, Tribunal or National Tribunal by its award directs reinstatement of any workman and the employer prefers any proceedings against such award in a High Court or the Supreme Court, the employer shall be liable to pay such workman, during the period of pendency of such proceedings in the High Court or the Supreme Court, full wages last drawn by him, inclusive of any maintenance allowance admissible to him under any rule if the workman had not been employed in any establishment during such period and an affidavit by such workman had been filed to that effect in such Court:*

Provided that where it is proved to the satisfaction of the High Court or the Supreme Court that such workman had been employed and had been receiving adequate remuneration during any such period or part thereof, the Court shall order that no wages shall be payable under this section for such period or part, as the case may be.

Reading of this Provision makes it clear that what is to be paid u/s. 17-B is the wages drawn by the workman on the date of his termination i.e. the last drawn wages and not wages increased time to time under Minimum Wages Act.

On the basis of above discussion and findings, the petition lacks merit and is dismissed accordingly.

No order as to cost.

DATE:- 24/04/2025

**(P.K.SRIVASTAVA)
PRESIDING OFFICER**