

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM
LABOUR COURT, JABALPUR

NO. CGIT/LC/C/02/2020

Present: P.K.Srivastava

H.J.S..(Retd)

Mukesh Kalsekar

S/o. Shri Shivlal Kalsekar

1943, Dwarikapuri, Hawa Bungalow Road

Indore (M.P.), presently working as Daily

Wager Peon, Central Bank of India,

Branch Siyaganj, Indore (M.P.)

Workman

Versus

1. The Regional Manager

Central Bank of India,

Regional Office, 6/3, Race Course Road

MG Road, Indore (M.P.)

2. The Branch Manager

Central Bank of India

Siyaganj Branch, Indore (M.P.)

Management

(J U D G M E N T)

(Passed on this 25th 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 with a case that award on 18.11.2014 was passed by this Tribunal in case R/157/2000, setting aside termination of his services and ordering reinstatement with continuity of service. This award was confirm by Hon'ble High Court of M.P. vide order dated 29.09.2018 in W.P. No. 3188/2015. He was reinstated by management in compliance with the award but his monthly wages from December-2014 to September-2019 was not paid by management to

which he is entitled in the light of the award. He has computed this amount at Rs. 437106/- and has requested that he be held entitled to get this amount from management with interest @ of 12% per annum.

Notices were sent to management. They appeared but did not prefer any objection. Parties have absented in this case since 03.10.2023. None was present for argument. No written arguments filed. I have gone through the record.

There is on record photocopy of certified copy of the award dated 18.11.2014 passed by my learned Predecessor which provides that the management has been directed to reinstate the workman but without back wages. There is also on record photocopy of certified copy of order dated 29.09.2018 passed by Indore Bench of Hon'ble High Court in W.P. No. 3188/2015, which reveals that the writ petition was dismissed and the award referred to above was affirmed.

The award passed by this Tribunal has now merged in the order of Hon'ble High Court. Hence, it shall be in force from the date of order because no date of enforcement of the order is mentioned as admitted by workman. This order has been enforced and he has been reinstated. Since, there is no mention of back wages, the workman cannot be held to be entitled to get back wages for the period he has prayed.

Hence, on the basis of above discussion and findings, the petitioner lacks merit and is dismissed.

DATE:- 25/04/2025

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