

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM
LABOUR COURT, JABALPUR

NO. CGIT/LC/C/05/ 2014

Present: P.K.Srivastava

H.J.S..(Retd)

1. Santosh Kumar, S/o Shri Roshan Lal
2. Roop Kishore S/o Shir Jhinguria
3. Bhagwandas Shivhare S/o Shri Munnalal
4. Kashiram Shivhare S/o Shri Bhagwanlal
R/o DP wali gali, Adarsh Colony,
Banmore Murena (MP)

Workman

**Chief General Manager,
State Bank of India,
Local Head Office,
Hoshangabad Road,
Bhopal (MP)**



Vs

सत्यमेव जयते
(JUDGMENT)

Management

(Passed on this 07th day of April - 2025)

The workmen have filed this petition under Section 33 (C)(2) of the Industrial Disputes Act, 1947, (in short the "Act"), for Awarding the amounts mention in the petition and directions to the opposite party Management to pay the amount to the Applicants.

Facts connected are mainly that, an Award was passed by this Tribunal in the reference Case R/49/1999 on 16.04.2012, in which the Management of State Bank of India, was directed to reinstate the Applicants with back wages. This Award was challenged by Management Bank, in W.P. No. 793/2012 before Hon'ble High Court of M.P. Bench at Gwalior, the Hon'ble High Court was pleased to said the operation of Award on the condition of compliance of Section 17 (b) of the Act. Case of the Applicants is that, this condition

was never complied with by Management during the pendency of the said WP. The said Writ was decided on 31.10.2014 and the matter was remanded back to this Tribunal for a fresh decision.

The case of the Management in the objection to the petition is that, they also did not dispute that provisions of Section 17 (b) of the Act, which was in conditions present for state of Award, was not complied by them. Management has further taken a case that in fact Applicant Workmen Bhagwandas has been employed with the Bank and has been getting salary at Rs. 1,000/- per month. He is not entitled to the benefit. As regards the remaining three Applicants, they were paid Rs. 190/- per month. Hence, they are entitled to only Rs. 5510/- per applicant on the basis of calculation of Rs. 190 X 29 months for the period 16.04.2012 to 31.10.2014 i.e. the period during pendency of the WP. The Workmen have filed an Affidavit that they used to Work on wages at Rs. 190 per day. There is no evidence or any affidavit filed on behalf of Management in support of their claim.

Hence, holding the case of the Applicant Workmen proved that they were getting wages on the rate of Rs. 190 per day, at the time of their termination, each of them is held entitled to an amount under Section 17 (b) of the Act to be calculated @ of Rs. 190 per day, from the date of 16.04.2012 to 30.10.2014. They are also held entitled to litigation cost against the Workman computed at Rs. 5000/- per Applicant payable within 04 months from the date of order, failing which Award at the @ 6% per annum from the date of order till payment.

Petition stands disposed accordingly.

DATE:-07/04/2025

(P.K.SRIVASTAVA)
PRESIDING OFFICER