

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

NO. CGIT/LC/M/16/2024

Present: P.K.Srivastava

H.J.S..(Retd)

1. Hansraj Sher S/o Ramchandraji Sher,
R/o 47/11, Kishanpura, Maxi Road, Ujjain,
Through the General Secretary,
Dainik Vetan Bhogi Bank Karmchari Sangathan,
F-1, Tripti Vihar, Opp.-Engg. College,
Ujjain (M.P.)

Workman

Vs

1. Assistant General Manager (Zone-V)
State Bank of India,
Regional Office, Budhwariya, Ujjain (M.P.)
2. Branch Manager
State Bank of India,
Madhav Nagar, Ujjain (M.P.)

Management

(JUDGMENT)

(Passed on 10th day of September - 2025)

The Award holder/Workman has filed this application against the management bank with a case that he had filed a petition against his retrenchment which was registered before this Tribunal as RC/03/2016 and was decided by judgment and award dated 24.05.2025, holding the action of the Bank in terminating his service on 12.08.2015 against law, he was held entitled to be reinstated without back wages and also entitled to litigation cost computed as Rs. 25,000/- (*Twenty Five Thousand Only*).

The management bank instead of complying with the award, preferred a writ petition bearing W.P. No. 40434/2024 against the award, the impugned award was stayed by the Hon'ble High Court of M.P. at Jabalpur, subject to compliance of provisions of **Section 17-B of the Industrial Disputes Act, 1947** (hereinafter referred to by the word '**Act**') by the management bank vide its order dated 06.01.2025. The award holder has alleged that the management is not complying with the order, hence the award requires to be executed and has prayed for its execution.

The management has preferred a written objection in which they have stated that they are complying with the award and are paying last drawn wages since the date of order of Hon'ble High Court in compliance of its order dated 06.01.2025.

I have heard Learned Counsel for Award holder/Workman Mr. Akshay Pawar and Mr. Pranay Choubey for Management. I have gone through the record as well.

The main submission from the side of award holder/workman is that under the order of Hon'ble High Court, he is entitled to receive last drawn wages under section 17-B of the Act, since the date of award and not from the date of order of Hon'ble High Court, hence it is established that the management bank has not fully complied with the conditional order.

On the other hand, it has been submitted from the side of the management that they are paying the last drawn wages from the date of order because the order does not specify that it will be paid from the date of award.

In light of aforesaid submission, the only point remains to be decided in the case in hand is whether, the management is bound under law to pay last drawn wages from the date of award or from the date of order under section 17-B of the Act.

Learned Counsel for award holder has referred to judgment of ***Hon'ble Supreme Court in the case of Dena Bank v/s Ghanshyam (2001) 5 SCC 169***, in this case, it has been laid down that in compliance of order under section 17-B of the Act, the management is required to pay the last drawn wages from the date of award, if they want to be protected against the execution of award. In another case ***W.A. No. 227/2016, State Bank of India v/s Tarun Kumar Pradhan***, the Division Bench of Hon'ble High Court of M.P. at Jabalpur has taken the same view.

Learned Counsel for Bank today files an application with photocopy of statement of account of the award holder/workman and submits that the payment of last drawn wages has been made by management bank to the award holder/workman from the date of award and the amount has been credited to his Bank i.e., *State Bank of India bearing Account No. 30170644083*, as per the statements annexed.

Order has been complied with, hence holding that there is no violation of order under section 17-B of the Act, the petition is liable to be dismissed and is dismissed accordingly.

No order as to cost.

DATE:- 10/09/2025

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